



**MESSAGES OF THE PRESIDENT
GLORIA MACAPAGAL-ARROYO**

2001-2010

BOOK 14 | VOLUME 4

Executive Orders Part 3



President Gloria Macapagal-Arroyo, Fourteenth President of the Philippines
and Fourth President of the Fifth Republic.



MESSAGES OF THE PRESIDENT

GLORIA MACAPAGAL-ARROYO

2001-2010

BOOK 14 | VOLUME 4
Executive Orders Part 3

Messages of the President Book 14: Gloria Macapagal-Arroyo

Volume 4 Part 3

Presidential Communications Development and Strategic Planning Office

<http://www.gov.ph>

<http://www.malacanang.gov.ph>

<http://www.pcdspo.gov.ph>

ISBN 978-621-8032-50-7

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Published exclusively by

The Presidential Communications Development
and Strategic Planning Office

Office of the President of the Philippines

3/F New Executive Building,

Malacañan Palace, San Miguel, Manila

Tel.: 736-0719, 736-0718

Fax no.: 736-6167

Website: <http://www.pcdspo.gov.ph>

Book design by the Presidential Communications
Development and Strategic Planning Office

Published in the Philippines.

The National Library of the Philippines CIP Data

Recommended entry:

Philippines. President (Arroyo: 2001-2010)

Messages of the President: Gloria Macapagal-Arroyo, 2001-2010,
Book 14, Volume 4, Executive Orders Part 3 / Presidential Communication
Development and Strategic Planning Office. – Manila: Presidential
Communications Development and Strategic Planning Office, 2016.

pages; cm

ISBN 978-621-8032-50-7

Contents: vol. 1. Official Week and Month in Review – vol. 2.
Appointments and Designations – vol. 3. Historical Documents and
Papers – vol. 4. Executive Orders – vol. 5. Administrative Orders – vol. 6.
Proclamations – vol. 7. Other Issuances – vol. 8. Cabinet Minutes.

1. Arroyo, Gloria Macapagal-, President – Philippines – 2001-2010.
2. Presidents – Messages – Philippines. 3. Philippines – Politics and
government – 2001-2010. I. Title.

The Messages of the President Book 14: Gloria Macapagal-Arroyo Volume 4 Part 3 was compiled and published by the Presidential Communications Development and Strategic Planning Office in May 2016 in Manila, Philippines.

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Messages of the President Book 14: Gloria Macapagal-Arroyo
Volume 4 Part 3

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INTRODUCTION

As the President's chief message-crafting body, the Presidential Communications Development and Strategic Planning Office (PCDSPO), is mandated to provide strategic communication leadership and support to the Executive Branch, its composite agencies, and instrumentalities of government.

The PCDSPO is also mandated to act as custodian of the institutional memory of the Office of the President. One of our projects is the continuation of the series of books called the Messages of the President, started in 1936 by Jorge B. Vargas, Executive Secretary to President Manuel L. Quezon. The series was a wide collection of executive issuances, speeches, messages, and other official papers of the President. The volumes were intended to serve as the definitive compilation of presidential documents. The series was continued until the Quirino administration, although the series for the Presidential administrations of Presidents Quezon, Roxas, and Quirino were never completed.

In 2010, President Benigno S. Aquino III ordered the revival of the series and the constitution of a complete set, covering all 15 presidential administrations. With pride, we continue what Vargas began.

We would like to extend our gratitude to our partners for without whose gracious cooperation, this project would have not been possible.

A note on organization: Each presidential administration's messages are in book form, compiled and subdivided into volumes. The books are as follows:

- Book 1: Emilio Aguinaldo
- Book 2: Jose P. Laurel
- Book 3: Manuel L. Quezon
- Book 4: Sergio Osmeña
- Book 5: Manuel Roxas
- Book 6: Elpidio Quirino
- Book 7: Ramon Magsaysay
- Book 8: Carlos P. Garcia
- Book 9: Diosdado Macapagal
- Book 10: Ferdinand E. Marcos
- Book 11: Corazon C. Aquino
- Book 12: Fidel V. Ramos
- Book 13: Joseph Ejercito Estrada
- Book 14: Gloria Macapagal-Arroyo
- Book 15: Benigno S. Aquino III

Each book is subdivided into the following volumes:

- Volume 1: Official Weeks/Months in Review
 - Volume 2: Appointments and Designations
 - Volume 3: Historical Papers and Documents
 - Volume 4: Executive Orders
 - Volume 5: Administrative Orders
 - Volume 6: Proclamations
-

Volume 7: Other issuances

Volume 8: Cabinet minutes

We hope that this collection will be a useful and vital reference for generations to come.

PREFACE

On July 30, 2010, President Benigno S. Aquino III issued Executive Order No. 4, which effectively renamed what was previously called the Malacañang Museum into the Presidential Museum and Library (PML) and placed it under the supervision and control of the Presidential Communications Development and Strategic Planning Office (PCDSPO). The PML is responsible for preserving, managing, and promoting the history and heritage of the Philippine presidency. It is the principal historical and artistic repository in support of the institution of the presidency, for the benefit of the Republic and the Filipino people. In partnership with the PCDSPO, which has pioneered the publication of the Official Gazette of the Republic of the Philippines as a web archive and information website, the PML has taken this mandate and placed it on the cutting edge of the information age.

Much has been done over the past years, under the administration of President Aquino III, to digitize executive issuances, speeches, letters, and other presidential papers; and publish them online. The project is not limited to a single administration, nor does it discriminate. This collection, published as databases, as well as print and e-publications, includes documents from the presidency of Emilio Aguinaldo to the current Aquino administration. This represents the government's allegiance to transparency, continuity, and the fostering of an informed citizenry, as well as an effort, in earnest, to preserve the institutional memory of the Presidency. All this was done not just for the posterity, but for the current generation and the ongoing task of nation building.

The PML are proud partners of the Official Gazette and PCDSPO team, to whom we made the collections available. We sincerely hope that this series will serve as a vital reference to educators, students, journalists, lawyers, historians, and the public at large.

FOREWORD

This is the fourth volume of President Gloria Macapagal-Arroyo's official papers, which constitutes the 14th book of the Messages of the President series. The series was started in 1936 by Executive Secretary Jorge B. Vargas, during the first year in office of Manuel L. Quezon, the first President of the Commonwealth of the Philippines. This volume collects President Arroyo's Executive Orders, which provide for rules of a general or permanent character in implementation or execution of constitutional or statutory powers.

BOOK 14

PRESIDENT GLORIA MACAPAGAL-ARROYO

President Gloria Macapagal-Arroyo was the fourteenth President of the Philippines and was the fourth President of the fifth Republic. She assumed office on January 20, 2001, serving the remainder of the term of her predecessor Joseph Ejercito Estrada. President Macapagal-Arroyo was re-elected to a full second term in May 10, 2004. She was President until June 30, 2010.

The Executive Issuances of President Macapagal-Arroyo began with Memorandum Circular No. 1 signed on January 30, 2001 and ended with Proclamation No. 2111 and Executive Order No. 910 which were both signed on June 29, 2010.

President Macapagal-Arroyo's documents were gathered from its official sources such as the Official Gazette of the Philippines; Malacañang Records Office's Book of Executive Issuances; SONA Technical Report; A Compilation of Selected Presidential Speeches of Her Excellency President Gloria Macapagal-Arroyo; Strong Republic: Selected Speeches of President Macapagal-Arroyo; and from the website archive.org.

The American Psychological Association (APA) style was used for the citation. The titles that have been provided by the researchers are enclosed in square brackets, considering that the exact wordings and its order were not verbatim from the document being described. Book titles are italicized while the speech titles are not. If in any case that the book title is the same as the title of the speech, it is transcribed in italics because it is the book title.

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A beaming President Gloria Macapagal-Arroyo is accompanied by Trade and Industry Secretary Peter Favila upon her arrival for the CEO Forum of e-Services Global Sourcing Conference and Exhibition with the theme "Centers of Excellence" at the SMX Convention Center of the SM Mall of Asia in Pasay City.



MESSAGES OF THE PRESIDENT

GLORIA MACAPAGAL-ARROYO

2001-2010

BOOK 14 | VOLUME 4
Executive Orders Part 3



President Gloria Macapagal-Arroyo gestures as she is briefed by chairman Renato Velasco of the Philippine National Oil Company-Alternative Fuel Corporation (PNOC-AFC) on the status of the Jatropha propagation during her inspection of the Jatropha Mega Nursery and Plantation, July 27, 2008 at Fort Magsaysay, Palayan, Nueva Ecija.

EXECUTIVE ORDERS

An Executive Order provides for rules of a general or permanent character in implementation or execution of constitutional or statutory powers. The Executive Orders of President Gloria Macapagal-Arroyo began on February 20, 2001 with Executive Order No. 1 and ended on June 29, 2010 with Executive Order No. 910.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 360
AMENDING EXECUTIVE ORDER NO. 282, SERIES OF 2004, WHICH DIRECTED
THE ESTABLISHMENT OF AN ASSET DISPOSITION PROGRAM
FOR THE EXISTING ILOILO AIRPORT

WHEREAS, the New Iloilo Airport Development Project (“Project”), funded with a loan from the Japan Bank for International Cooperation (JBIC), is now undergoing construction in the Municipalities of Sta. Barbara and Cabatuan, Province of Iloilo, which when completed, will replace the existing Iloilo airport in Mandurriao, Iloilo City;

WHEREAS, the government deems it beneficial to consider and evaluate alternatives on the disposition of the existing airport/site to achieve its optimum value;

WHEREAS, the development of the existing airport/site is crucial to the economic development of the Province and City of Iloilo, as well as the viability of the Project;

WHEREAS, Executive Order No. 282 was issued last February 17, 2004 creating an Asset Disposition Program (ADP) for the existing Iloilo Airport, which ADP will be managed by an inter-agency task force;

NOW THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Section 1 of Executive Order No. 282 is hereby amended to read as follows:

“Section 1. Establishment of Asset Disposition Program (ADP) – There is hereby created an Asset Disposition Program (ADP) to consider and evaluate alternatives on the disposition of the existing airport/site to achieve its optimum value. Such program shall be managed by the Department of Finance (DOF).*”*

Section 2. Section 3 of Executive Order No. 282 is hereby amended to read as follows:

“Section 3. Function and authority of the ADP. The ADP shall study and evaluate the plan of action and handle the process for the sale or disposition of the existing Iloilo Airport. For this purpose, the ADP under the DOF is empowered to secure the services of competent third-party advisor(s) who can provide advice on the conceptualization and implementation of the ADP.”*”*

Section 3. Effectivity. – This Executive Order shall take effect immediately.

DONE in the City of Manila, this **22nd** day of **September**, in the year of Our Lord, Two Thousand Four.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 361
ESTABLISHING THE POLICY OF PROMOTING AWARENESS OF AND RESPECT
FOR THE RULE OF LAW IN THE BASIC EDUCATIONAL SYSTEM

WHEREAS, the Constitution declares as one of its policies that the State recognizes the vital role of the youth in nation-building and that it shall promote and protect their physical, moral, spiritual, intellectual, and social well-being; that the State shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs (Article II, Section 13);

WHEREAS, the Constitution also declares that the State shall give priority to education in fostering patriotism and nationalism, accelerating social progress, and promoting total human liberation and development (Article II, Section 17);

WHEREAS, the Constitution further declares that the State shall encourage non-governmental, community-based or sectoral organizations that promote the welfare of the nation (Article II, Section 23);

WHEREAS, the concerted effort of the government and the non-governmental, community-based or sectoral organizations is necessary to promote, among the public in general and the youth in particular, respect for the rule of law and greater awareness and understanding of its importance as a platform for political reconciliation, economic progress, and national development;

WHEREAS, promoting respect for and greater awareness and understanding of the rule of law substantially depends on the improvement of the educational system, particularly on the training of educators and on the adequacy of learning materials and resources;

WHEREAS, the Department of Education fully supports the policies sought to be established herein;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Declaration of Policies. – The following policies are hereby established:

- a. Greater public understanding of and respect for the importance of the rule of law shall be promoted.
- b. Awareness on the role and functions of the judiciary shall be developed, especially among the youth.
- c. A support base to sustain long-term judicial reform shall be widened.
- d. Community members, especially the youth, shall be mobilized to recognize their stake and their responsibility for the promotion of the rule of law, dispute resolution, and protection of their rights.

SECTION 2. Role of Educational Institutions. – All public and private elementary and secondary schools are encouraged to promote the rule of law through the use of educational materials such as the Exemplar for Teachers, Students' Manual on the Rule of Law, and Students' Digest on the Judiciary.

These materials will be prepared with the end in view of enhancing the existing curricula already prepared by the Department of Education for both elementary and high school students.

SECTION 3. Proficiency of Teachers. – The Department of Education, through the DepEd Special Concerns Division, as well as the private educational institutions and non-governmental organizations tasked with managing the program, shall conduct training programs nationwide to enhance the skills of teachers in conflict resolution and in teaching the rule of law and the role of the judiciary in strengthening civil society.

SECTION 4. Implementing Authority. – The Department of Education is hereby directed to take active steps to ensure the implementation of this Executive Order and monitor compliance therewith by all public and private institutions of learning in the elementary and secondary levels.

SECTION 5. Support Mechanisms. – The Department of Education shall secure the necessary funding support to provide adequate learning materials and resources that will promote and develop awareness of the rule of law and the role of the judiciary primarily among elementary and high school students. It may collaborate with other branches of government and institutions, such as the judiciary, to ensure the development of appropriate materials, and training methodologies, and evaluation measures to monitor the progress of educators and students in achieving the policy objectives established herein.

SECTION 6. Implementing Rules and Regulations. – The Department of Education and its identified government and non-governmental partners are hereby authorized to issue appropriate rules and regulations for the effective implementation of the policies established herein.

SECTION 7. Report to the President. – Within thirty (30) days from the issuance of this Executive Order, the Department of Education shall submit to the President a plan of action to effectively implement the provisions of this Executive Order.

SECTION 8. Repealing Clause. – All executive issuances, rules and regulations or parts thereof, which are inconsistent with this Executive Order, are hereby repealed, amended or modified accordingly.

SECTION 9. Effectivity. – This Executive Order shall take effect immediately.

City of Manila, 22 September 2004

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 362
**DIRECTING THE CONSOLIDATION AND MERGER OF THE NATIONAL LIVELIHOOD
SUPPORT FUND AND THE PEOPLE'S CREDIT AND FINANCE CORPORATION**

WHEREAS, the National Livelihood Support Fund [NLSF], formerly known as the “*BKKK Capital Fund*” and the “*Effective Response to Alleviate Poverty Trust Fund*”, under the administrative supervision of the Land Bank of the Philippines, is intended to be utilized for the promotion, generation and development of livelihood opportunities, particularly for microfinance services for the poor, such as credit delivery, capital investments in microfinance institutions, capacity building and the like;

WHEREAS, the People's Credit and Finance Corporation [PCFC], which is a government-owned and controlled corporation registered with the Securities and Exchange Commission and created in accordance with Administrative Order No. 148 (s. 1994) and Memorandum Order No. 261 (s. 1995), has been identified under Republic Act No. 8425 (s. 1997), otherwise known as the “*Social Reform and Poverty Alleviation Act*,” as the vehicle for the delivery of microfinance services for the exclusive use of the poor and as the lead government entity specifically tasked to mobilize financial resources from both local and international funding sources for microfinance services for the exclusive use of the poor;

WHEREAS, one of the programs to reduce poverty and bring about progress in the country identified by the President of the Republic of the Philippines in her 10-Point Agenda to be pursued and implemented by her administration in the next six (6) years is the generation of 6 to 10 million jobs by tripling loans to micro, small and medium enterprises, and the development of 1 to 2 million hectares of agri-business lands;

WHEREAS, since the objectives and programs of the NLSF and PCFC are similar, there is a need to rationalize and consolidate them into one entity in order to achieve efficiency in the delivery of microfinance services to micro, small and medium enterprises, in accordance with the President's 10-Point Agenda;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Consolidation and Merger. – The National Livelihood Support Fund [NLSF] is hereby consolidated and merged with the People's Credit and Finance Corporation [PCFC]. The Land Bank of the Philippines which exercises supervision over the NLSF is hereby directed to transfer the management of all funds, properties, equipment and records of the NLSF, as a Trust Fund, to the PCFC.

SECTION 2. NLSF Secretariat. – Upon consolidation and merger of the NLSF with the PCFC, the PCFC Governing Board shall exercise supervision and control over the NLSF Secretariat, which was reorganized and realigned into a livelihood and enterprise development, generation and promotion agency of the government under Executive Order No. 75 (s. 1999). The Executive Director of the NLSF Secretariat shall be an *ex officio* member of the PCFC Governing Board.

SECTION 3. Implementing Guidelines. -- Within forty five (45) days from the issuance of this Executive Order, the President of the Land Bank of the Philippines and the Executive Director of the NLSF Secretariat are hereby directed to jointly formulate the appropriate guidelines, rules

and regulations to implement the provisions hereof, subject to the approval of the President of the Philippines.

SECTION 4. *Repealing Clause.* -- The provisions of Executive Order No. 75 (s. 1999) which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly. All other executive issuances, rules, regulations or parts thereof, which are inconsistent with any of the provisions hereof are hereby repealed, amended or modified accordingly.

SECTION 5. *Effectivity.* -- This Executive Order shall take effect immediately.

City of Manila, SEP 22 2004

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). [*Executive Order Nos.: 301 - 400*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 363
BROADENING THE POWERS OF THE COMMISSIONER OF CUSTOMS
TO COMBAT SMUGGLING

WHEREAS, the prevention and suppression of smuggling is an urgent concern of the administration;

WHEREAS, current laws and regulations limit the power to the Commissioner of the Bureau of Customs (BOC) to combat smuggling only within the Customs area;

WHEREAS, the Economic Intelligence and Investigation Bureau (EIIB) which used to combat smuggling outside the Customs area has been abolished by a previous administration;

WHEREAS, the government re-engineering policy is to avoid creating agencies but rather to consolidate similar or related functions within one agency;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Anti-Smuggling Functions of the Defunct EIIB. – The anti-smuggling functions of the defunct EIIB shall be exercised by the Commissioner of Customs.

SECTION 2. Powers and Functions. – To combat smuggling, the Commissioner shall exercise the following powers and functions:

1. Prepare and implement appropriate and effective measures to prevent and suppress all forms of smuggling especially: rice, sugar, vegetables, vehicles, alcohol, and dangerous drugs;
2. Effect searches, seizures and arrests on smuggling cases or apply for issuance of judicial warrant as may be necessary;
3. Investigate, file and prosecute criminal, civil and administrative cases against smugglers;
4. Enlist the assistance of any department, bureau, office or agency or instrumentality of the government, including government-owned or controlled corporations to carry out anti-smuggling functions, including its personnel, facilities and resources;
5. Perform such other functions and carry out activities as may be directed by the President.

SECTION 3. Special Team of Prosecutors. – To assist the Commissioner in the expeditious prosecution of criminal and other cases involving smuggling, a Special Team of Prosecutors from the Bureau of Customs shall be organized. The team shall have the following powers and duties:

1. To evaluate evidence gathered and to determine whether or not smuggling has been committed.
2. To initiate and conduct investigations and to file and prosecute appropriate civil, administrative and criminal charges against person(s) responsible for smuggling.

The Special Team of Prosecutors may be assisted by lawyers selected and recruited by the Commissioner from other government agencies with the conformity of their respective heads.

The Commissioner may assign any other BOC lawyer in the concerned port of entry to prosecute cases whether administrative, civil or criminal.

SECTION 4. Support from Other Agencies. – The following agencies shall assign technical and special staff to assist the Commissioner in anti-smuggling:

- a. Bureau of Customs
- b. Armed Forces of the Philippines
- c. Philippine National Police
- d. Philippine Coast Guard

All heads of government agencies, the functions of which are related to the provisions of this Executive Order shall, whenever the circumstances so warrant and upon request of the Commissioner of Customs, assist the Commissioner in terms of exchange of information, manpower, facilities and resources. Such request for assistance must be given priority by the agency concerned.

Likewise, the heads of departments or agencies, the duties of which include the issuance of Import Permits as a requirement prior to importation are hereby directed to coordinate with the Commissioner in all matters pertaining to such issuances. Said agencies shall periodically update the Commissioner on the Import Permits issued.

SECTION 5. Self-Implementation. – This Executive Order shall be self-implementing and no additional rules and regulations shall be necessary to commence its implementation.

SECTION 6. Funding. – The Commissioner shall allocate funds drawn from the BOC and such other funding sources as may be recommended by the Department of Budget and Management for anti-smuggling. Thereafter, appropriations for the succeeding years shall be incorporated in the budget proposal of the Bureau of Customs.

SECTION 7. Private Sector Consultation. – The Commissioner may consult with the concerned private sector and other stakeholders as may be necessary.

SECTION 8. – Repealing Clause. – All previous orders, issuances, rules and regulations, or parts therefore which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 9. – Effectivity. – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 27th day of September, in the year of Our Lord, Two Thousand and Four.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 364
TRANSFORMING THE DEPARTMENT OF AGRARIAN REFORM
INTO THE DEPARTMENT OF LAND REFORM

WHEREAS, one of the five reform packages of the Arroyo administration is Social Justice and Basic needs;

WHEREAS, one of the five anti-poverty measures for social justice is asset reform;

WHEREAS, asset reforms covers agrarian reform, urban land reform, and ancestral domain reform;

WHEREAS, urban land reform is a concern of the Presidential Commission on the Urban Poor (PCUP) and ancestral domain reform is a concern of the National Commission on Indigenous Peoples' (NCIP);

WHEREAS, another of the five reform packages of the Arroyo administration is Anti-Corruption and Good Government;

WHEREAS, one of the Good Government reforms of the Arroyo administration is rationalizing the bureaucracy by consolidating related functions into one department;

WHEREAS, under law and jurisprudence, the President of the Philippines has broad powers to reorganize the offices under her supervision and control;

NOW THEREFORE I, Gloria Macapagal-Arroyo, by the powers vested in me as President of the Republic of the Philippines, do hereby order:

SECTION 1. The Department of Agrarian Reform is hereby transformed into the Department of Land Reform. It shall be responsible for all land reform in the country, including agrarian reform, urban land reform, and ancestral domain reform.

SECTION 2. The PCUP is hereby placed under the supervision and control of the Department of Land Reform. The Chairman of the PCUP shall be ex-officio Undersecretary of the Department of Land Reform for Urban Land Reform.

SECTION 3. The NCIP is hereby placed under the supervision and control of the Department of Land Reform. The Chairman of the NCIP shall be ex-officio Undersecretary of the Department of Land Reform for Ancestral Domain Reform.

SECTION 4. The PCUP and the NCIP shall have access to the services provided by the Department's Finance, Management and Administrative Office; Policy, Planning and Legal Affairs Office, Field Operations and Support Services Office, and all other offices of the Department of Land Reform.

SECTION 5. All previous issuances that conflict with this Executive Order are hereby repealed or modified accordingly.

SECTION 6. This Executive Order takes effect immediately.

Manila, 27 September 2004

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

EXECUTIVE ORDER NO. 365
DEFINING THE FUNCTIONS OF THE ADVISER FOR SUBIC-CLARK AREA DEVELOPMENT

WHEREAS, one of the points in the ten-point legacy agenda of the Arroyo administration is to develop the Clark-Subic corridor into the best transport and logistics hub in the region;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Appointment of an Adviser for Subic-Clark Area Development. An Adviser for Subic-Clark Area Development shall be appointed.

SECTION 2. Duties of the Adviser for Subic-Clark Area Development. The Adviser for Subic-Clark Area Development shall have the following duties:

- a. To formulate programs/plans for the development of Subic and Clark as a globally competitive international service and logistics center in the Asia Pacific Region;
- b. To oversee the functions of the BCDA, CDC and SBMA in connection with the implementation of programs and projects with direct impact on the development of Subic and Clark as a globally competitive international service and logistics center and, in particular, to strictly monitor and facilitate the completion of the Subic Port, the improvement of Diosdado Macapagal International Airport, and the completion of the Subic-Clark-Tarlac Expressway Project;
- c. To obtain the participation of strategic partners, domestic or foreign, from the public or private sector, to contribute capital, know-how as well as market linkages necessary to spur the growth and development of Central Luzon;
- d. To obtain the required participation, support and assistance of all relevant government agencies and entities as well as concerned local government units in the formulation of the development as well as the implementation of the key components of the said program;
- e. To represent the Office of the President in all dealings with offices, agencies and instrumentalities of the Government and with all persons and entities, public or private, domestic or foreign, insofar as investment opportunities contributory to the development of Subic and Clark as a globally competitive international service and logistics center, unless otherwise directed by the President; and
- f. To exercise such other powers, functions and duties as may be directed by the President insofar as the development of the Clark-Subic hub is concerned.

SECTION 3. Assistance and Support to the Adviser for Subic-Clark Area Development. The BCDA, CDC and SBMA shall jointly provide the required financial, administrative and technical support to the Adviser for Subic-Clark Area Development in the efficient and effective discharge of his functions. All government agencies and instrumentalities shall likewise provide the necessary assistance and support to the Adviser for Subic-Clark Area Development.

SECTION 4. Repealing Clause. All executive issuances, rules and regulations or parts thereof which are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

SECTION 5. Effectivity. This Executive Order shall take effect immediately.

City of Manila, 27 September 2004

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 366

DIRECTING A STRATEGIC REVIEW OF THE OPERATIONS AND ORGANIZATIONS OF THE EXECUTIVE BRANCH AND PROVIDING OPTIONS AND INCENTIVES FOR GOVERNMENT EMPLOYEES WHO MAY BE AFFECTED BY THE RATIONALIZATION OF THE FUNCTIONS AND AGENCIES OF THE EXECUTIVE BRANCH

WHEREAS, in the midst of challenges facing the public sector such as globalization, increasing demographic pressures and scarce resources, the government has to define its proper role in society, focus its efforts on its core governance functions and improve its performance on the same;

WHEREAS, to attain improved government performance, there is a need to institute reforms that would transform the bureaucracy into an efficient and results-oriented structure;

WHEREAS, as an initial effort, the rationalization of agencies in the Office of the President has been effected;

WHEREAS, Sections 77 and 78 of the General Provisions of Republic Act No. 9206 (General Appropriations Act of 2003), as reenacted, authorize the President of the Philippines to direct changes in the organizational units or key positions in any department or agency, and require all departments/agencies of the Executive Branch to conduct a comprehensive review of their respective mandates, missions, objectives, functions, programs, projects, activities and systems and procedures, identify areas for improvement and implement structural, functional and operational adjustments to improve government's service delivery and productivity, respectively;

WHEREAS, the Administrative Code of 1987 has vested the President with residual powers to reorganize the Executive Branch; and

WHEREAS, the Supreme Court had, in numerous cases, upheld the authority of the President to reorganize the Executive Branch;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the strategic review of the operations and organizations of the Executive Branch to improve public service delivery, in accordance with the following provisions:

SECTION 1. Coverage. This Executive Order shall cover all Departments of the Executive Branch and their component units/bureaus, including all corporations, boards, task forces, councils, commissions and all other agencies attached to or under the administrative supervision of a Department.

The Constitutional Offices, Legislature, Judiciary, and State Universities and Colleges (SUCs) may, on a voluntary basis, apply the parameters contained herein if they opt to review their respective operations and organization.

SEC. 2. Strategic Review of Agency Operations and Organizations. All Department Secretaries are hereby directed to take the lead in the conduct of a strategic review of the operations and

organization of all component units, including agencies attached to or under the administrative supervision, of their respective Departments for purposes of:

- a. Focusing government efforts and resources on its vital/core services; and
- b. Improving the quality and efficiency of government services delivery by eliminating/minimizing overlaps and duplication, and improving agency performance through the rationalization of service delivery and support systems, and organization structure and staffing.

SEC. 3. *Rationalization and Service Delivery Improvement Framework.* The conduct of the strategic review by the Department Secretaries of their respective operations and organization shall be guided by the following framework:

- a. Focus government efforts on the exercise of its fundamental functions of establishing and providing the appropriate social, political and economic environment within which development can prosper;
- b. Transform the bureaucracy into an effective and efficient institution for the delivery of core public services; and
- c. Ensure the long term sustainability of core government services through resource mobilization and cost-effective public expenditure management.

SEC. 4. *Preparation of a Rationalization Plan.* The Department Secretary shall prepare a Rationalization Plan for the whole Department, including the agencies and government-owned and/or controlled corporations (GOCCs) attached to or under its administrative supervision. The Plan shall be prepared in accordance with the strategic plan of the Department and shall contain the disposition of its functions, programs, projects, activities, organizational units, agencies, staffing and personnel. Such Plan shall indicate the following information:

- a. The core functions, programs, activities and services of the Department and its units/agencies;
 - b. The specific shift in policy directions, functions, programs, projects, activities and strategies, indicating the phasing of the intended shifts;
 - c. The functions, programs and projects which would be scaled down, phased out or abolished such as:
 - Those that duplicate or unnecessarily overlap with other programs, activities, and projects within the Department and its attached agencies and with other government entities;
 - Those that are not producing the desired outcomes, no longer achieving the objectives and purposes for which they were originally designed and implemented, and/or not cost efficient and do not generate the level of physical and economic returns vis-à-vis the resource inputs,
 - Those that are redundant/outdated or no longer relevant to the accomplishment of the major final outputs of the department/agency;
 - Those that directly compete with those of the private sector that can be done more efficiently and effectively by said sector; and
 - Those which have been devolved to local government units.
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- d. The functions, programs and projects where more resources would be channeled such as:
- Those that directly support core/frontline services;
 - Those that are directly involved in the social, economic and political empowerment of the people, or those that promote private sector initiative;
 - Those that contribute to the creation of livelihood or employment opportunities, and an environment conducive to investment and entrepreneurship, and productivity; and
 - Those that directly contribute to the ultimate societal outcome objectives of the National Government and/or the intermediate/sector/sub-sector/organizational outcome objectives of the agency.
- e. The resulting structural and organizational shift, stating the specific changes in the units/agencies of the Department;
- f. The staffing unit, highlighting the changes to be made in the staffing pattern and personnel of the Department and its agencies, as well as the organizational strengthening strategies that need to be implemented.
- g. The resource allocation shift, specifying the effects of the streamlined setup on the budgetary allocations of the Department and its agencies; and
- h. The internal and external communication plan, indicating the specific methods and strategies employed/being undertaken in conveying the rationalization process to the personnel who may be affected and to other stakeholders.

SEC. 5. *Submission of the Rationalization Plan.* The Rationalization Plan shall be submitted to the Department of Budget and Management (DBM) for review, to ensure its consistency with the objectives of this effort, and subsequent submission to the President for approval.

In case non-submission of a Rationalization Plan by the Department Secretaries, the DBM shall submit to the President the areas for rationalization and improvement in the department/agencies concerned.

SEC. 6. *Timetable for the implementation of the Rationalization Program.* The DBM, together with the Civil Service Commission (CSC), shall coordinate the implementation of the Program. They are authorized to prepare a timetable for its implementation, including the phasing of activities and availment of the incentive package as provided under Section 10 of this Order.

SEC. 7. *Prohibition on Hiring/Rehiring of Personnel During Plan Preparation.* Except for newly created agencies, the hiring of additional personnel (permanent, temporary, contractual or casual), and the renewal of contracts/appointments of all employees hired on contractual, casual, or temporary basis is hereby prohibited during the preparation of the Rationalization Plan.

SEC. 8. *Options for Personnel Who May Be Affected by the Rationalization of the Functions and Agencies of the Executive Branch.* Personnel who may be affected by the rationalization of the functions and agencies of the Executive Branch shall have the option to:

- 8.1 Remain in government service, if with permanent appointment attested by the CSC. Those with temporary appointment attested by the CSC; may opt to remain but are guaranteed tenure up to the expiration of their appointment only; or
 - 8.2 Avail of the retirement/separation benefits as herein provided.
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SEC. 9. *Personnel Who Would Opt to Remain in Government Service.* Affected personnel with permanent or temporary appointment who would opt to remain in government service shall be placed in other agencies by the CSC where additional personnel are required. However, the position of the transferred personnel in the recipient agency shall be co-terminus with the incumbent. Such affected personnel shall not suffer any diminution in pay, except certain allowances that used to be given corresponding to the performance of specific functions which would no longer form part of their new functions.

Personnel who would choose to remain in government service but would later object to his/her new job assignment shall be deemed separated/retired and shall be paid retirement, separation or unemployment benefit, whichever is applicable under existing retirement/separation laws, without the incentives provided herein.

SEC. 10. *Personnel Who Would Opt to Retire or Be Separated from the Service.* Affected personnel, with appointments attested by the CSC, whether hired on a permanent or temporary basis, who would opt to retire or be separated from the service, and those hired on a casual or contractual basis, if qualified, shall be given the option to avail themselves of any of the following, whichever is beneficial to them:

- 10.1 Retirement gratuity provided under RA 1616 (An Act Further Amending Section Twelve of Commonwealth Act Numbered One Hundred Eighty-Six, as Amended, Prescribing Two Other Modes of Retirement and for Other Purposes), as amended, payable by the last employer of the affected personnel, plus the refund of retirement premiums payable by the Government Service Insurance System (GSIS), without the incentive herein provided.
- 10.2 Retirement benefit under RA 660 (An Act to Amend Commonwealth Act Numbered One Hundred and Eighty-Six entitled “An Act to Create and Establish a Government Service Insurance System, to Provide for its Administration, and to appropriate the Necessary Funds Therefor,” and to Provide Retirement Insurance and for Other Purposes) or applicable retirement, separation or unemployment benefit provided under RA 8291 (An Act Amending Presidential Decree No. 1146, as Amended, Expanding and Increasing the Coverage and Benefits of the Government Service Insurance System, Instituting Reforms Therein and for other Purposes), if qualified, plus the following applicable incentives:
 - 10.2.1 $\frac{1}{2}$ month of the present basic salary for every year of government service and a fraction thereof, for those who have rendered 20 years of service and below;
 - 10.2.2 $\frac{3}{4}$ month of the present basic salary for every year of government service and a fraction thereof, computed starting from the 1st year, for those who have rendered 21-30 years of service; and
 - 10.2.3 1 month of the present basic salary for every year of government service and a fraction thereof, computed starting from the 1st year, for those who have rendered 31 years of service and above.

PROVIDED: That the GSIS shall pay, on the day of separation, the retirement/separation/unemployment benefits to which an affected employee may be entitled to under RA 660 or RA 8291 and whenever there is an option, the one which the affected employee has chosen as the most beneficial to him/her.

PROVIDED FURTHER: That for the purpose of complying with the required number of years of service under RA 8291, the portability scheme under RA 7699 (An Act Instituting

Limited Portability Scheme in the Social Security Insurance Systems by Totalizing the Workers' Creditable Services or Contributions in Each of the Systems) may be applied, subject to existing policies and guidelines.

- 10.3 Those with less than three (3) years of government service may opt to avail of the separation gratuity under RA 6656 (An Act to Protect the Security of Tenure of Civil Service Officers and Employees in the Implementation of Government Reorganization), plus the appropriate incentive provided under Section 10.2.

No affected employees who opted for retirement/separation shall receive less than an aggregate of Fifty Thousand Pesos (P50,000) as his retirement/separation gratuity benefit from both the National Government and the GSIS.

In the case of employees belonging to agencies and GOCCs exempted from or not following the Salary Standardization Law, the total amount of incentives to be received shall not exceed One Million Five Hundred Thousand Pesos (P1,500,000).

SEC. 11. *Return by the GSIS of the National Government's Share in the Retirement Premiums of Personnel Who Cannot Avail of RA 660 or RA 8291.* The GSIS shall return to the National Government the corresponding share of the government to the retirement premiums, with interest, of employees who are not yet entitled to avail either RA 660 or RA 8291.

SEC. 12. *Fast-Tracking of Date Reconciliation.* The GSIS is hereby directed to fast-track the reconciliation of the records of all GSIS members with the Departments/agencies of the Executive Branch to ensure the release of the retirement/separation benefits of personnel concerned on the day of retirement/separation.

SEC. 13. *Other Benefits of Retired/Separated Personnel.* The affected personnel who opted to retire or be separated shall, in addition to the applicable benefits above, be entitled to the following:

- 13.1 Refund of Pag-IBIG Contributions. All affected personnel who are members of the Pag-IBIG shall be entitled to the refund of their contributions (both personal and government), pursuant to existing rules and regulations of the Home Development Mutual Fund;
- 13.2 Commutation of Unused Vacation and Sick Leave Credits. All affected personnel shall be entitled to the commutation of unused vacation and sick leave credits in accordance with existing rules and regulations.

SEC. 14. *Abolition of Positions.* For every employee who would opt for voluntary retirement/separation, a funded position shall be offered for abolition by the Department/agencies concerned. Unless otherwise approved by the DBM, there shall be no instance that the number of positions to be offered for abolition shall be less than the number of personnel who availed themselves of the voluntary retirement/separation benefits.

SEC. 15. *Prohibition on Rehiring of Personnel Retired/Separated from the Service.* Government personnel who would opt to retire or be separated as a result of the rationalization efforts shall not be appointed or hired in any agency of the Executive Branch, including in GOCCs/Government Financial Institutions (GFIs), except in educational institutions and hospitals, within a period of five (5) years.

The Constitutional Offices, and the Judicial and Legislative Branches may adopt the same hiring policy.

The assistance of the CSC and the Commission on Audit (COA) is hereby sought to implement this directive.

SEC. 16. *Funding Source of Incentives of Affected Personnel.* Funds necessary to pay the incentives of affected employees in all regular government agencies shall be provided by the National Government.

Incentives of affected personnel of GOCCs/GFIs shall be sourced from their respective corporate funds. In case of funding deficiency of GOCCs not exempted from the Salary Standardization Law, the National Government may provide assistance in the payment of incentive benefits.

SEC. 17. *Period of Availability of the Benefit Package.* The availment of the retirement/separation package provided herein shall be based on the implementation timetable of the Program to be prepared by the DBM and CSC.

SEC. 18. *Other Impact Mitigation Strategies.* Department Secretaries are hereby authorized to seek the assistance of agencies involved in the delivery of skills/livelihood/entrepreneurial/investments/development/enhancement programs, business management training and counseling programs to better prepare affected employees in deciding on the option most beneficial to them. For functions which are to be privatized, Secretaries shall assist affected personnel in formations of cooperatives/business enterprises.

SEC. 19. *Appeals Mechanism.* Any appeal shall be resolved following the pertinent provisions of RA 6656.

SEC. 20. *Implementation Rules and Regulations.* The DBM shall issue the guidelines for the effective implementation of this EO, including the mechanism for the agency utilization of savings, provided that savings shall not be used for the creation of new positions and hiring of additional personnel, either on contractual, casual, consultancy or job order basis.

SEC. 21. *Repealing Clause.* All executive orders, rules, regulations and other issuances or parts thereof, which are inconsistent with the provisions of the Executive Order, are hereby revoked or modified accordingly.

SEC. 22. *Effectivity.* This Executive Order shall take effect upon its publication in a newspaper of general circulation.

DONE in the City of Manila, this 4th day of October, in the year of our Lord, two thousand and four.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). [*Executive Order Nos.: 301 - 400*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 367

**RENAMING THE OFFICE OF CONSTITUENCY AFFAIRS, AND CLARIFYING ITS FUNCTIONS
AND RESPONSIBILITIES, AND AMENDING EXECUTIVE ORDER NO. 344**

WHEREAS, Section 4 of Executive Order (EO) No. 344, dated August 9, 2004, created the Office of Constituency Affairs (OCA);

WHEREAS, under said EO 344, OCA was created to address the objectives of the President towards the participation of the constituencies in the development and implementation of the administration's program of government;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has the continuing authority to reorganize the administrative structure of the Office of the President;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

SECTION 1. Office of External Relations. – The Office of Constituency Affairs created by EO 344 is hereby renamed Office of External Affairs. It shall be headed by a Presidential Adviser for External Affairs, who shall have the rank and emoluments of a Cabinet Secretary.

SECTION 2. Functions and Responsibilities. – The Office of External Affairs shall perform the following functions and responsibilities:

- Liaison with constituency groups
- Build grassroots support for the administration's agenda and legislation

SECTION 3. Administration. – The Office of External Affairs shall have an organization structure to carry out its functions and responsibilities:

- (a) The system of Presidential Advisers/Assistants for Regional Concerns shall form part of the office of External Affairs.
- (b) The Presidential Adviser for External Affairs shall be assisted by a Head Executive Assistant appointed by the President.
- (c) There shall be a representative to the Office of External Affairs in the United States with the rank of Attache.
- (d) There shall be account officers in charge of liaising with specific constituency groups.

SECTION 4. Funding. – The funds to support the operations of the Office of External Affairs shall be sourced from the budget of the Office of the President. Fund requirements in the succeeding years shall be prepared in accordance with the regular budget procedures and shall be included in the budget of the Office of the President.

SECTION 5. Repealing Clause. – All issuances, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 6. Effectivity. – This Executive Order shall take effect immediately.

City of Manila, OCT 04 2004.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 368
ABOLISHING THE MADRASAH DEVELOPMENT COORDINATING COMMITTEE AND
TRANSFERRING ITS FUNCTIONS TO THE DEPARTMENT OF EDUCATION

WHEREAS, in consonance with this Administration's policy of streamlining the government bureaucracy in order to promote economy and efficiency in the government to enable it to pursue programs consistent with the national goal of accelerated socio economic development; and

WHEREAS, Section 31 of the Administrative Code of 1987 authorizes the President to reorganize the administrative structure of the National Government.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Abolition. – The Madrasah Development Coordinating Committee created under Executive Order No. 283, series of 2004 is hereby abolished.

SECTION 2. Transfer of Functions. – The functions of the Madrasah Development Coordinating Committee are hereby transferred to the Department of Education.

SECTION 3. Repealing Clause. – All executive issuances, orders, rules and regulations or parts thereof inconsistent with provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 4. Effectivity. – This Executive Order shall take effect immediately.

City of Manila, OCT 05 2004

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 369
ESTABLISHING THE NATIONAL PROGRAM FOR ELIMINATING LYMPHATIC FILARIASIS
AND DECLARING THE MONTH OF NOVEMBER OF EVERY YEAR AS MASS TREATMENT
FOR FILARIASIS IN ESTABLISHED ENDEMIC AREAS

WHEREAS, Lymphatic Filariasis is a parasitic disease primarily affecting children, women and men living in endemic remote areas;

WHEREAS, Lymphatic Filariasis is a debilitating and disfiguring disease, comprising about 76% of cases living in 4th to 6th class municipalities in 36 established endemic areas out of the 48 probably endemic provinces in the country;

WHEREAS, recent advances in the field of diagnosis and treatment make the disease one of the six eradicable diseases as declared by the International Task Force for Disease Eradication, as documented by endemic countries able to eradicate the disease such as Japan, Korea, etc;

WHEREAS, Administrative Order No. 25-A, s 1998 was issued by the Department of Health (DOH) spearheading the elimination of filariasis by formally shifting control to elimination strategies;

WHEREAS, the main strategy to eliminate filariasis is through Mass Treatment using a combination of Diethylcarbamazine Citrate (DEC) and Albendazole annually for five years which has been pilot tested in 2000 and formally started in 2001 in selected municipalities/provinces; and

WHEREAS, to facilitate program management, social mobilization, drug reapplication, distribution and to epidemiologically control the disease, the Global experts in consultation with regional coordinators, LGUs and other stakeholders, recommended that a month each year be concentrated for Mass Treatment for filariasis and other anti-filariasis activities.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Lead Agency.* The Department of Health (DOH) shall lead in the implementation of the “Filariasis Mass Treatment Month” yearly campaign every November starting in 2004. As such, it shall call upon all Government Agencies/Organizations for assistance in the implementation of this Executive Order, including, but not limited to the following:

- a) Department of Interior and Local Government
- b) Department of Education
- c) Department of Social Welfare and Development
- d) Department of National Defense
- e) Department of Environment and Natural Resources
- f) Local Government Units/Organizations
- g) Philippine Information Agency

As the lead agency, the DOH shall formulate and disseminate guidelines and procedures on the implementation of the campaign; provide technical assistance to LGUs; conduct national/regional advocacy and social mobilization activities in endemic regions; provide all the necessary mass treatment drugs and other logistics, allocate and distribute in a timely manner, and monitor all LGU activities in all phases of the campaign.

SEC. 2. *Responsibilities of the Department of Interior and Local Government (DILG).* The DILG shall issue and disseminate appropriate memorandum circulars to all local chief executives, mobilize field offices, and assist in the supervision and monitoring of filariasis mass treatment activities in order to ensure high mass treatment coverage in all endemic communities.

SEC. 3. *Responsibilities of the Department of Education (DepEd).* The DepEd shall ensure high mass treatment coverage in all public and private schools by exerting all efforts to inform parents and guardians of target schoolchildren about the campaign and mobilizing all medical teams to conduct filariasis mass treatment in schools in coordination with LGUs. The DepEd shall issue and disseminate appropriate circulars for the purpose.

SEC. 4. *Responsibilities of the Department of Social Welfare and Development (DSWD).* The DSWD shall ensure that all targeted population (2 yrs & above), under their supervision in endemic areas are given filariasis mass treatment drugs, issue and disseminate appropriate circulars, and assist in the advocacy and social mobilization for the purpose of this campaign, in coordination with the LGUs.

SEC. 5. *Department of National Defense (DND) thru the National Disaster Coordinating Council (NDCC).* The DND thru NDCC shall issue and disseminate appropriate memorandum circulars to its regional and provincial offices to provide assistance in the advocacy, social mobilization and in the conduct of the filariasis mass treatment campaigns in established endemic communities.

SEC. 6. *Department of Environment and Natural Resources (DENR).* The DENR shall provide assistance in the training, advocacy, and social mobilization in endemic communities to ensure high filariasis mass treatment coverage.

SEC. 7. *Philippine Information Agency (PIA).* The PIA shall provide assistance in broadcasting services primarily to disseminate information on the campaign with particular focus on areas and sectors not adequately served by other networks.

SEC. 8. *Responsibilities of Local Government Units.* The LGUs shall lead the local implementation of the filariasis mass treatment campaign, exerting special effort to encourage every family member aged 2 yrs & above, to take the filariasis mass treatment drugs to achieve high mass treatment coverage. As such, they shall extend appropriate resources to ensure the success of the campaign including provide supportive drugs like antipyretics, anti-histamines, etc., conduct of advocacy and social mobilization activities, issuance of appropriate local ordinances, resolutions, memorandum circulars, and other relevant orders. They are likewise ordered to submit reports on the mass treatment coverage in their area of responsibility.

SEC. 9. *Participation of the Civic Societies.* All non-government organizations, members of civic societies, professional groups, non-government organizations, and other concerned groups are encouraged to contribute to the success of the filariasis mass treatment campaign through information dissemination, social mobilization, and recruitment of volunteers, providing donations, and other appropriate means.

SEC. 10. *Effectivity.* This Executive Order shall take effect immediately upon approval.

DONE, in the City of Manila, this **5th** of **October**, in the year of Our Lord, Two Thousand and Four.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 370

AUTHORIZING AND APPROVING THE DIRECT ASSUMPTION BY THE NATIONAL GOVERNMENT OF A PORTION OF THE FINANCIAL OBLIGATIONS OF THE NATIONAL POWER CORPORATION IN ACCORDANCE WITH SECTION 32 OF REPUBLIC ACT NO. 9136, OTHERWISE KNOWN AS THE “ELECTRIC POWER INDUSTRY REFORM ACT OF 2001”

WHEREAS, pursuant to Section 32 of Republic Act No. 9136 approved on 8 June 2001 otherwise known as the “*Electric Power Industry Reform Act*” (EPIRA), the National Government was mandated to assume directly a portion of the financial obligations of the National Power Corporation (NPC) in an amount not to exceed Two Hundred Billion Pesos (P200,000,000,000.00);

WHEREAS, Section 49 of the EPIRA likewise mandated that all existing generation assets, real estate and all other disposable assets, as well as the outstanding liabilities of NPC arising from loans, issuances of bonds, securities and other instruments of indebtedness, shall be transferred to and assumed by the Power Sector Assets and Liabilities Management Corporation (PSALM Corp.);

WHEREAS, the consent of NPC’S, creditors under various loan and financial agreements is required for the format transfer of NPC’s assets and liabilities to PSALM Corp.;

WHEREAS, obtaining the consent of NPC’s creditors would be facilitated by the direct assumption by the National Government of Two Hundred Billion Pesos (P200,000,000,000.00) of NPC’s financial obligations as contemplated under Section 32 of the EPIRA;

WHEREAS, the Development Budget Coordination Committee under the National Economic and Development Authority (NEDA) Board, which is tasked, among others, with the determination of the fiscal program of the National Government, has recommended that the National Government, pursuant to the EPIRA, directly assume a portion of the financial obligations of NPC in an amount not to exceed Two Hundred Billion Pesos (P200,000,000,000.00) beginning on 31 December 2004;

WHEREAS, pursuant to Executive Order No. 292 dated 25 July 1987, otherwise known as the “*Administrative Code of 1987*,” the Department of Finance shall be primarily responsible for the sound and efficient management of the financial resources of the National Government, its subdivisions, agencies and instrumentalities and for the review, approval and management of all public sector debt, whether foreign or domestic, with the end in view of ensuring that all borrowed funds are effectively utilized and all such obligations are promptly serviced by the government;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Assumption of NPC’s Financial Obligations by the National Government.* – Pursuant to Section 32 of the EPIRA, the National Government shall directly assume a portion of the financial obligations of the NPC in an amount not to exceed Two Hundred Billion Pesos (P200,000,000,000.00) beginning on 31 December 2004, in accordance with, a schedule to be approved by the Development Budget Coordination Committee.

SECTION 2. *Lead Agency.* – The Department of Finance (DOF), in consultation with the Department of Budget and Management (DBM) and the Commission on Audit (COA), shall address

and resolve all issues relating to the assumption by the National Government of NPC's financial obligations as provided in Section 1 hereof, including but not limited to:

- a. identification of specific debts to be assumed and determining the levels of annual debt absorption;
- b. the arrangements between PSALM Corp., NPC and the National Government;
- c. the proper treatment and recording of the transactions in the books of account of the National Government and NPC; and
- d. the implementation of the assumption by the National Government of NPC's financial obligations.

For this purpose, the DOF may call upon the DBM, the Department of Energy, the NEDA, and any other agency of the Government for such assistance as may be necessary in the performance of its functions as provided herein. All heads of departments, agencies, bureaus and offices, including government-owned or controlled corporations, are hereby enjoined to render full assistance and cooperation to the Secretary of Finance and provide such information and data as may be required to carry out and implement the provisions of this Order.

SECTION 3. *Signing Authority.* – The Secretary of Finance is hereby authorized to enter into, conclude and sign, for and on behalf of the National Government, such agreements, deeds, and any and all other documents necessary to implement, and to render valid and enforceable, the assumption by the National Government of NPC's financial obligations in accordance with this Order.

In relation to any financial obligation of NPC directly assumed by the National Government, the DOF shall have full authority and discretion to determine in each instance the specific modality for giving legal effect to the assumption of liability by the National Government, so long as the ultimate financial responsibility, for the payment of such financial obligation of NPC rests with the National Government.

SECTION 4. This Executive Order shall take effect immediately after its publication in a newspaper of general circulation.

DONE in the City of Manila, this **12th** day of October, in the year of our Lord, Two Thousand and Four.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). [*Executive Order Nos.: 301 - 400*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 371
RECONSTITUTION AND TRANSFORMATION OF THE ODA ABSORPTION OFFICE
INTO THE URBAN ASSET REFORM PROJECT MANAGEMENT OFFICE

WHEREAS, the government's anti-poverty program is anchored on the Social Reform Agenda;
WHEREAS, one of the elements of the Social Reform Agenda is asset reform;
WHEREAS, asset reform consists of land reform, urban asset reform, and ancestral domain reform;

WHEREAS, urban asset reform is an innovation that requires extensive research and preparatory activities of the nature of a special project;

WHEREAS, the former ODA Absorption Office created by Executive Order No. 102 has the expertise to manage projects of the complexity required by urban asset reform;

NOW THEREFORE, I, Gloria Macapagal-Arroyo, President of the Philippines, by virtue of the powers vested in me by law do hereby order:

Section 1. Reconstitution and Transformation. The ODA Absorption Office shall be reconstituted as the Urban Asset Reform Project Management Office and shall be headed by an Undersecretary.

Section 2. Mandate. The Urban Asset Reform Project Management Office is mandated develop the proven ideas of the economist Hernando de Soto regarding the integration of formal and informal settlements into one legal system as the framework of Philippine urban asset reform.

Section 3. Composition of the Urban Asset Reform Project Management Office. The Office of the President shall initiate the urban asset reform program through the Project Management Office. The Project Management Office shall coordinate the social acceptance and advocacy program on urban asset reform, including the sourcing of project funds from ODA. It shall build up the capability of the Presidential Commission on the Urban Poor to manage the transformation and conversion of assets in the informal sector to produce capital and the utilization of capital to increase livelihood and business opportunities for the informal sector. The Deputy Executive Secretary for Finance and Administration shall manage the administrative operations of the office.

Section 4. Institutional Relationships. The Project Management Office shall be part of the Office of the President.

Other Departments, Agencies or instrumentalities of the government shall cooperate with the Project Management Office in the pursuit of its mandate.

Section 5. Objectives. The Urban Asset Reform Project Management Office shall achieve the following objectives:

1. Introduce the socially accepted property system that will integrate the urban poor settlers into the mainstream economy;
2. Create the implementation mechanism within the Presidential Commission on the Urban Poor that will enable the urban poor settlers to legalize their extralegal and business assets;
3. Establish the legal instruments required to mobilize, combine and allocate the urban poor settlers' formalized assets and business for productive purposes.

Section 6. Tasks and Activities. The Urban Asset Reform Project Management Office shall have the following tasks and activities:

1. Research on the necessary information that will serve as the reference data for the setting of objectives and targets and conduct field studies to assess existing institutional and systemic practices and problems;
2. Undertake the review of the De Soto proposals to the Philippines, including De Soto's comparative models, and come up with the appropriate recommendations to the President;
3. Formulate and implement an intensive advocacy program for social acceptance and support of stakeholders on the urban asset reform program;
4. Facilitate the preparation of a framework for the transformation of the country's extra-legal assets into liquid assets, and thereby strengthen people's rights to real estate and improve the titling system in informal settlements;
5. Facilitate the preparation of a framework that will enable newly formalized poor owners and small entrepreneurs to form new productive ties and networks with each other and with other private sector parties.

Section 7. Budget and Other Resources. The Urban Asset Reform Project Management Office shall operate and pursue its mandates using the resources of the former ODA Absorption Office.

Funding for the operations of the Project Management Office shall be sourced from the savings of the ODA Absorption Office and annual budget allocation. Appropriations for the succeeding years shall be included in the budget proposal of the Office of the President.

The Urban Asset Reform Project Management Office shall absorb the equipment, facilities, office space and other properties of the former ODA Absorption Office, and such personnel of the former ODA Absorption Office that in the judgment of the Deputy Executive Secretary for Finance and Administration are needed in the carrying out the mandate of the Project Management Office.

Section 8. All executive issuances, orders, rules and regulations, or any part thereof, which are inconsistent with any provision of this Executive Order are hereby revoked, amended or modified accordingly.

City of Manila, October 12 2004

(Sgd.) **GLORIA MACAPAGAL-ARROYO**
President

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 372
CREATING A PUBLIC-PRIVATE SECTOR TASK FORCE FOR THE DEVELOPMENT
OF GLOBALLY COMPETITIVE PHILIPPINE SERVICE INDUSTRIES

WHEREAS, the government has embarked on the implementation of a 10-point agenda to uplift the economy;

WHEREAS, the government recognizes the need to develop the potential of the country's globally-competitive service industries in order to generate employment and earn foreign exchange;

WHEREAS, the role of government is to provide an enabling environment for the private sector to invest in these service industries and thereby create the capacity and the competitiveness for global markets;

WHEREAS, the government recognizes that developing these service industries requires a market-based, private sector driven approach;

WHEREAS, there is a need to create a mechanism to harness the synergy of the public and private sectors in order to formulate integrated master plans for the development of these service industries;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. *Creation of a Public-Private Sector Task Force for the Development of Globally Competitive Philippine Service Industries.* – There is hereby created the Public-Private Sector Task Force for the Development of Globally Competitive Philippine Service Industries, hereinafter referred to as the Task Force.

Section 2. *Functions.* – The Task Force shall have the following functions:

- a. Identify service industries which the Philippines has the potential to be globally competitive, including, but not limited to health and wellness; retirement and leisure; information technology; and logistics;
- b. Formulate development plans in service industries that are identified where the Philippines has the potential to be globally competitive. Such plans shall provide for public-private sector partnership models in the development of these sectors.
- c. Ensure the effective and timely implementation of the development plans;
- d. Initiate action and mobilize the concerned agencies of the government and the private sector to implement the development plans;
- e. Monitor and evaluate the implementation of the development plans; and
- f. Submit monthly report to the President, through the Executive Secretary, on the status of the development plans.

The Task Force may accept donations, contributions, grants, requests or gifts, in cash or in kind, from various sources, domestic or foreign, for purposes relevant to its functions: provided, that in cases of donations from foreign governments, acceptance thereof shall be subject to the prior clearance and

approval of the President of the Philippines upon recommendation of the Secretary of the Department of Foreign Affairs, pursuant to Republic Act No. 9206.

Receipts from donations shall be accounted in the books of the Task Force in accordance with pertinent accounting and auditing rules and regulations. Such donations, whether in cash or in kind, shall be deemed automatically appropriated for purposes specified by the donor. The receipts from cash donations and proceeds from sale of donated commodities shall be remitted to the National Treasury and recorded as a Special Account in the General Fund and shall be available through a Special Budget pursuant to Section 35, Chapter 5, Book VI of Executive Order No. 292. The Task Force shall submit to the Department of Budget and Management, the Senate Committee on Finance, the House Committee on Appropriations, and the Commission on Audit a quarterly report of all donations whether in cash or in kind, and a quarterly report of expenditures or disbursements of the amount released.

Section 3. *Composition.* – The Task Force shall be composed of the Secretary of Trade and Industry, the Secretary of Foreign Affairs, the Chairman of Clark Development Corporation, the Chairman of Subic Bay Metropolitan Authority and five (5) representatives from the private sector who shall be appointed by the President.

The Secretary of Trade and Industry and one (1) representative from the private sector shall be Co-Chairs of the Task Force.

The Task Force may call on any heads of departments, agencies, bureaus, or offices to provide assistance and cooperation to the Task Force as may be required.

Resource persons from trade associations and local and foreign chambers of commerce may be invited during meetings of the Task Force to carry out its mandate.

Section 4. *Coordination with the Senior Adviser on International Competitiveness.* – The Task Force shall closely coordinate its development plans with the Senior Adviser on International Competitiveness who shall continue to perform his functions in advising the President in areas concerning the development of the country's global competitiveness. The Senior Adviser on International Competitiveness shall ensure that the President's directives relative to the development of globally competitive Philippine service industries are efficiently and effectively implemented by the Task Force.

Section 5. *Funding.* – The funding for the operational requirements of the Task Force shall be drawn from the President's Contingent Fund.

The private sector entities shall fund their own participation in the work of the Task Force, including operational and promotional activities, feasibility studies and the like. They are encouraged to secure their own funding through grants and other contributions from foreign and local private sector counterpart, subject to applicable laws, rules and regulations.

Section 6. *Repealing Clause.* – All executive issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

Section 7. *Effectivity.* – This Executive Order shall take effect immediately.

City of Manila, OCT 18 2004

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 373
REORGANIZING THE COMPOSITION OF THE COMMISSION ON FILIPINOS
OVERSEAS UNDER THE OFFICE OF THE PRESIDENT

WHEREAS, pursuant to Executive Order No. 343, dated August 5, 2004 the Commission on Filipinos Overseas was transferred to the Office of the President;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has the continuing authority to reorganize the administrative structure of the Office of the President;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me under the Constitution and existing laws, do hereby order:

Section 1. Chairman of the Commission on Filipinos Overseas. The Chairman of the Commission of Filipinos Overseas (CFO) shall be appointed by the President and shall have a cabinet rank.

Section 2. Composition. The Commission on Filipinos Overseas shall be composed of the Chairman, and representatives from the Department of Foreign Affairs, as Vice-Chairman, Department of Trade and Industry, Department of Labor and Employment, Department of Tourism, Department of Education, Department of Justice, Office of the Press Secretary and the Executive Director of the Commission on Filipinos Overseas.

The representative shall have a rank not lower than an Undersecretary.

Section 3. Repealing Clause. All executive issuances, rules and regulations or parts thereof which are inconsistent with the provisions of the Executive Order are hereby repealed, amended, or modified accordingly.

Section 4. Effectivity. This Executive Order shall take effect immediately.

City of Manila, OCT 18 2004

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 374
RE-ESTABLISHING THE PRESIDENTIAL MINERAL INDUSTRY ENVIRONMENTAL AWARD

WHEREAS, Executive Order No. 399, dated February 3, 1997, established the Presidential Mineral Industry Environmental Award (PMIEA) to promote the efficient management of the environment and ecology in the exploration, development and utilization of the country's mineral resources;

WHEREAS, Executive Order No. 236, dated September 19, 2003, establishing the Honors Code of the Philippines, discontinued, under Section 11(a)xvi thereof, the grant of PMIEA;

WHEREAS, it is appropriate to continue with the practice of conferring the PMIEA to stress the importance of sound environmental management and responsible mining practice;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Presidential Mineral Industry Environmental Award (PMIEA) is hereby re-established. Accordingly, the provisions of Executive Order No. 399 dated February 3, 1997, providing for the PMIEA award categories, and setting forth the award criteria, selection mechanics, eligibility standards and other requirements, are deemed revived.

SEC. 2. Section 11(a)xvi of Executive Order No. 236 dated September 19, 2003, decreeing the discontinuation of the conferment of PMIEA, is hereby repealed. All other executive orders, issuances, rules and regulations or parts thereof, insofar as they are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SEC. 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 19th day October, in the year of Our Lord Two Thousand and Four.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 375
MODIFYING THE RATES OF IMPORT DUTY ON CERTAIN IRON AND STEEL PRODUCTS
UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978
(PRESIDENTIAL DECREE NO. 1464), AS AMENDED

WHEREAS, Republic Act No. 7103 (s. 1991), otherwise known as the “Iron and Steel Industry Act”, aims to promote Philippine industrialization through the immediate establishment of an integrated iron and steel industry that makes full and efficient use of the country’s human and natural resources taking into consideration its critical impact on employment, indigenous resource utilization, and foreign exchange and balance of payments position;

WHEREAS, the Iron and Steel Act further provides that the government shall provide impetus to the growth, promotion and development of the iron and steel industry as the springboard and basis for launching Philippine industrialization;

WHEREAS, the government recognizes the need to provide an enabling environment for the local iron and steel industry to attain international competitiveness;

WHEREAS, Section 401 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empowers the President of the Republic of the Philippines to increase, reduce, or remove existing rates of import duty, as well as to modify the form of duty and the tariff nomenclature, under Section 104 of the Code;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the Most-Favoured-Nation (MFN) import duty for the period in accordance with the schedule indicated opposite each article.

SECTION 2. The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “x x x” shall remain in force and in effect.

SECTION 3. Upon the effectivity of this Executive Order, all articles listed in Annex “A” hereof which are entered or withdrawn from warehouses in the Philippines for consumption shall be levied the MFN rates of duty therein prescribed.

SECTION 4. The Department of Trade and Industry, in coordination with the National Economic and Development Authority, the Department of Finance, the Tariff Commission and the Bureau of Customs, shall promulgate the implementing rules and regulations that will govern the implementation of this Executive Order.

SECTION 5. All Presidential issuances, administrative rules and regulations, or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 6. This Executive Order shall take effect immediately following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 22nd day of October, in the year of Our Lord, Two Thousand and Four.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Reference: Annex “A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 376

MODIFYING THE RATES OF IMPORT DUTY ON CERTAIN IMPORTED ARTICLES UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978 AS AMENDED, IN ORDER TO IMPLEMENT SECTION 1 OF REPUBLIC ACT 9281, REINSTATING THE EFFECTIVITY OF TAX INCENTIVES UNDER SECTION 109 OF REPUBLIC ACT 8435 OTHERWISE KNOWN AS THE AGRICULTURE AND FISHERIES MODERNIZATION ACT OF 1997

WHEREAS, the government needs to provide duty exemption to importations of eligible agriculture and fisheries enterprises to promote and foster their efficiency and global competitiveness;

WHEREAS, Section 1 of Republic Act No. 9281 enacted into law on March 30, 2004, amends Section 109 of Republic Act No. 8435 otherwise known as the “Agriculture and Fisheries Modernization Act of 1997” as follows “all enterprises engage in agricultural and fisheries duly certified by the Department of Agriculture, in consultation with the Department of Finance and Board of Investments, shall, up to the year 2015, be exempted from the payment of tariff duties for the importation of all types of agriculture and fishery inputs, equipment, and machinery such as but not limited to, fertilizer, insecticide, pesticide, tractor, trailers, trucks, farm implements and machinery, harvesters, threshers, hybrid seeds, genetic materials, sprayers, packaging machinery and materials, bulk-handling facilities such as conveyors, mini-loaders, weighing scales, harvesting scales, harvesting equipment, spare parts of all agricultural equipment, fishing equipment and parts thereof, refrigeration equipment, and renewable energy systems such as solar panels, Provided, however, that the imported agriculture, and fishery inputs, equipment and machinery shall be for the exclusive use of the importing enterprise;

WHEREAS, Section 109 of Republic Act No. 8435 was implemented by Executive Order (EO) No. 133 series of 1999, and its annexes, as amended by EO 127, series of 2002, the effectivity of which lapsed on 08 February 2003;

WHEREAS, paragraph (2) of Section 1 of Republic Act No. 9281 provides that “the Department, in consultation with the Department of Finance and the Board of Investment, shall, within ninety (90) days from the effectivity of this Act, formulate the Implementing Rules and Regulations governing the importation of agricultural and fishery inputs, equipment, and machinery.”

WHEREAS, Sections 104 and 401 of the Tariff and Customs and Code of 1978 (Presidential Decree No. 1464), as amended, empower the President of the Republic of the Philippines, upon the recommendation of the National Economic and Development Authority, to increase, reduce, or remove existing protective rates of import duty, as well as to modify the form of duty.

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Importation of Articles under Annex “B”.* The articles specifically listed in Annex “B” hereof, classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be tariff-

exempt up to 31 December 2015, provided that the importation of said articles shall be accompanied by a certificate of eligibility or accreditation duly issued by the Department of Agriculture and its deputized agencies and shall be subject to the rules and regulations outlined in Annex “A” hereof.

SECTION 2. *Fees.* Agencies deputized to implement the provisions of this EO and its Annexes, shall be authorized to collect administrative fees at minimal and reasonable costs. The DA and DTI shall prescribe uniform and harmonized rates and shall issue the schedules of fees in a separate Department Administrative Order.

SECTION 3. *Review.* The Department of Agriculture, Department of Finance, Department of Trade and Industry, and DTI-Board of Investments, in consultation with concerned private sector and other government institutions shall conduct an annual review of the attached Annexes “A” and “B”, and shall report the findings of said review and shall recommend possible amendments to the President.

SECTION 4. *Repealing Clause.* All Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 5. *Effectivity.* This Executive Order shall take effect thirty (30) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

Upon the effectivity of this Executive Order, the abovementioned articles, which are entered and withdrawn from warehouses in the Philippines shall believed the rates of duty herein prescribed.

DONE in the City of Manila, this 22nd day of October, in the year of our Lord, Two Thousand and Four.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 377

**AUTHORIZING AN EMINENT PERSONS GROUP TO OVERSEE THE SUSTAINABLE
DEVELOPMENT OF BORACAY TOURISM**

Section 1. *Declaration of Policy.* – It is hereby declared the policy of the State to ensure the sustainable development of Boracay Island as a priority tourism destination. To this end the government shall plan, undertake, and cause the implementation of support projects and programs to preserve the attractiveness of Boracay and adjoining islands or areas as a tourism destination.

Section 2. *Creation of a Special Tourism Zone.* – Boracay Island is hereby proclaimed as a Special Tourism Zone.

Section 3. *Empowering Eminent Persons to Oversee Boracay Tourism Development.* – To ensure the effective implementation of the above-stated policy, there is hereby recognized the existence of a group of eminent persons concerned with the sustainable development of Boracay tourism. From such a group, the President of the Philippines shall designate a Boracay Eminent Persons Group empowered to oversee the sustainable development of Boracay tourism in behalf of the President of the Philippines and the Secretary of Tourism.

Section 4. *Territorial Scope.* – The territorial scope of Boracay tourism shall cover the island of Boracay consisting of three (3) barangays of Yapak, Balabag, Manok-Manok, all the islets around it and Barangay Caticlan in the Municipality of Malay in Mainland Panay Island.

Section 5. *Principal Area of Activity.* – The principal area of activity of the Eminent Persons Group shall be in Boracay Island.

Section 6. *Powers.* – The Eminent Persons Group shall have the following powers:

- a. Formulate plans for the sustainable development of tourism in Boracay;
- b. Recommend to the Philippine Tourism Authority such rules and regulations as may be necessary to ensure compliance with the requirement of the Island's sustainable development;
- c. Advocate to the people of Boracay, to their elected officials in the barangay, municipal and provincial levels and to the national government, the policies that will foster the sustainable development of Boracay;
- d. Prioritize the major projects of Boracay as consistent with the plans for sustainable development;
- e. Coordinate enterprises within Boracay which may be necessary to the sustainable development of Boracay;
- f. Cause the proper land use projects and practices for Boracay and its marginal islands;
- g. Ensure the preservation of the natural and cultural heritage of the island.

Section 7. *Private Sector Nature.* – So long as the Eminent Persons do not require government funding for their activities, they shall not lose their private sector character. If they so request and receive government funding for their activities, they shall acquire the nature of government officials.

Section 8. *Group Secretary.* – The Eminent Persons Group shall be serviced by a Group Secretary who shall be a government official appointed by the President of the Philippines.

Section 9. Appropriations. – The amount as necessary for the compensation and operating expenses of the Group Secretary shall be appropriated out of the funds of the Philippine Tourism Authority.

Section 10. Separability Clause. – Any portion of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions hereof, as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

Section 11. Repealing Clause. – All orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order, are hereby revoked, amended or modified accordingly.

Section 12. Effectivity. – This Executive Order shall take effect immediately.

City of Manila, 22 October 2004.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 377-A
AMENDING EXECUTIVE ORDER NO. 377, S. 2004 BY PROVIDING FOR THE COMPOSITION
OF THE BORACAY ISLAND EMINENT PERSONS GROUP

WHEREAS, Executive Order No. 377, s. 2004 provided for the existence of the Boracay Island Eminent Persons Group (EPG) which is tasked to ensure the sustainable development of Boracay Island as a priority tourism destination;

WHEREAS, the participation of the Boracay EPG in the forthcoming implementation of the Boracay Comprehensive Land Use Plan (CLUP) would be crucial, as it is entrusted to oversee and ensure the sustainable development of the Boracay Island and to advocate to and coordinate with concerned stakeholders regarding the policies towards such sustainable development;

WHEREAS, there is a need to issue guidelines regarding the composition of the EPG as well as the criteria for the effective selection of EPG members;

WHEREAS, there is likewise a need to include in the EPG composition other concerned sectors, such as local and indigenous residents/ancestral land owners;

WHEREAS, the President encourages the strong participation of the private sector in economic and social development;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has the continuing authority to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

SECTION 1. Amendments. – Section 3 of Executive Order No. 377, s. 2004 is hereby amended to read as follows:

“Sec. 3. Eminent Persons to Oversee Boracay Tourism Development. To ensure the sustainable development of tourism in Boracay Island in behalf of the President of the Philippines and the Secretary of Tourism, the Eminent Persons Group (EPG) is hereby reconstituted and strengthened. The EPG shall be composed of representatives from the following sectors:

- a. three (3) from duly recognized local business organizations;
- b. two (2) from duly recognized environmental organizations;
- c. three (3) from local residents and/or indigenous groups; and
- d. A duly designated Cabinet Officer for Regional Development (CORD) for Region VI.

The Secretary of Tourism shall coordinate with the above sectoral groups/organizations for their nominated representatives to the EPG, and then recommend to the President these nominees for

designation. The President shall assign the Chair of the EPG from the designated EPG members. The CORD for Region VI shall act as the Co-Chair of the EPG.

The President may likewise include in the EPG composition representatives from other sectors as may be necessary.

Sec. 2. Repealing Clause. – All executive issuances inconsistent with this Executive Order are hereby repealed or amended accordingly.

Sec. 3. Effectivity. – This Executive Order shall take effect immediately.

Done in the City of Manila, this 28th day of October, in the year of Our Lord, Two Thousand and Nine.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2009). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 378

AMENDING SECTION 6 OF EXECUTIVE ORDER NO. 285 DATED 25 JULY 1987 BY
REMOVING THE EXCLUSIVE JURISDICTION OF THE NATIONAL PRINTING OFFICE (NPO)
OVER THE PRINTING SERVICES REQUIREMENTS OF GOVERNMENT
AGENCIES AND INSTRUMENTALITIES

WHEREAS, there is a continuing need to institute reforms in the government in order to improve and upgrade efficiencies in the delivery of public services;

WHEREAS, one of the areas which need immediate improvement is government printing services to ensure that government benefits from the best services available from the market at the best price;

WHEREAS, recent advances in technology has made printing services a highly competitive service area with great outsourcing potential;

WHEREAS, the NPO, created pursuant to EO No. 285 dated July 25, 1987, is the agency mandated to have exclusive jurisdiction over the printing, binding and distribution of all government standard and accountable forms, official ballots, and other public documents;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The NPO shall continue to provide printing services to government agencies and instrumentalities as mandated by law. However, it shall no longer enjoy exclusive jurisdiction over the printing services requirements of the government over standard and accountable forms. It shall have to compete with the private sector, except in the printing of election paraphernalia which could be shared with the Bangko Sentral ng Pilipinas, upon the discretion of the Commission on Elections consistent with the provisions of the Election Code of 1987.

SEC. 2. Government agencies/instrumentalities may source printing services outside NPO provided that:

- 2.1 The printing services to be provided by the private sector is superior in quality and at a lower cost than what is offered by the NPO; and
- 2.2 The private printing provider is flexible in terms of meeting the target completion time of the government agency.

SEC. 3. In the exercise of its functions, the amount to be appropriated for the programs, projects and activities of the NPO in the General Appropriations Act (GAA) shall be limited to its income without additional financial support from the government.

SEC. 4. The Director General of the Philippine Information Agency shall prepare guidelines/safeguards to be adopted by government agencies and instrumentalities in tapping private providers in the printing of accountable and standard forms, in case the NPO could not match the price, quality, and timeliness of delivery by private providers.

SEC. 5. All executive orders, issuances, orders, rules and regulations which are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

SEC. 6. This Executive Order shall take effect upon its publication in a newspaper of general circulation.

DONE in the City of Manila, this 25th day of October, in the year of Our Lord, Two Thousand and Four.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 379
AMENDING EXECUTIVE ORDER NO. 364 ENTITLED TRANSFORMING THE DEPARTMENT
OF AGRARIAN REFORM INTO THE DEPARTMENT OF LAND REFORM

WHEREAS, Republic Act No. 8371 created the National Commission on Indigenous Peoples;

WHEREAS, pursuant to the Administrative Code of 1987, the President has the continuing authority to reorganize the administrative structure of the National Government.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

Section 1. *Amending Section 3 of Executive Order No. 364.* Section 3 of Executive Order No. 364, dated September 27, 2004 shall now read as follows:

“Section 3. The National Commission on Indigenous Peoples (NCIP) shall be an attached agency of the Department of Land Reform.”

Section 2. *Compensation.* The Chairperson shall suffer no diminution in rank and salary.

Section 3. *Repealing Clause.* All executive issuances, rules and regulations or parts thereof which are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

Section 4. *Effectivity.* This Executive Order shall take effect immediately.

City of Manila, 26 October 2004.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 380

**TRANSFORMING THE PUBLIC ESTATES AUTHORITY INTO THE PHILIPPINE
RECLAMATION AUTHORITY, TRANSFERRING ITS NON- RECLAMATION ASSETS AND
LIABILITIES TO THE DEPARTMENT OF FINANCE, AND SEPARATING THEREFROM THE
PEA-TOLLWAY CORPORATION FOR PURPOSES OF MANAGEMENT**

WHEREAS, the Public Estates Authority (PEA) created under Presidential Decree No. 1084 (Creating the Public Estates, Defining its Powers and Functions, Providing Funds Therefor and for Other Purposes) was established to provide for a coordinated, economical and efficient administration of lands and real estate, especially reclaimed lands, belonging to, managed and/or operated by the government and was further designated to be primarily responsible for integrating, directing and coordinating all reclamation projects for and on behalf of the National Government;

WHEREAS, the PEA is tasked to develop, improve, administer, deal in, subdivide, dispose, lease and sell any and all kinds of lands, buildings, estates and other forms of real property owned, managed, controlled and/or operated by the government and thus held assets in behalf of the National Government;

WHEREAS, in the year 2002 the President of the Philippines proposed to Congress the abolition of the PEA and directed the PEA to phase out its activities and transfer the assets held by it to the appropriate agencies of the National Government:

WHEREAS, reclamation has been identified as one of the primary sources of Government revenue under the Medium-Term Philippine Development Plan for the years 2004-2010 and should be managed by one authority;

WHEREAS, the National Development Company (NDC) was created to serve as an agency of the National Government in furtherance of government's economic policies by engaging or investing in commercial, industrial, agricultural, mining and other enterprises where government investment is necessary to foster economic development;

WHEREAS, the Department of Finance (DOF) is the principal agency responsible for the generation and management of financial resources of the government;

WHEREAS, the PEA has been placed under the supervision and control of the DOF;

WHEREAS, pursuant to the Administrative Code of 1987, the President has the continuing authority to reorganize the National Government.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

Section 1. Transformation of the PEA. The PEA is hereby transformed into the Philippine Reclamation Authority (PRA). The PRA shall perform all the powers and functions of the PEA relating to reclamation activities. The remaining non-reclamation enterprises, including the management of the PEA-Tollway Corporation (PEA-TC), are hereby transferred to the National Development Company.

Section 2. Earnings of the PEA-TC. The Chairman and members of the Board of the PEA-TC as well as its president shall be appointed by the President of the Philippines. The management of PEA-TC shall be under the supervision and control of the NDC. It shall declare monthly dividends and remit the same to the PRA in the amount needed by the PRA to perform its functions. The balance of the earnings of the PEA-TC shall be remitted to the National Government.

Section 3. Transfer of Assets and Liabilities of the PEA. With the exception of the assets and liabilities of the PEA on its reclamation functions which shall be retained with the PRA, all its other assets and liabilities are hereby transferred without cost to the DOF. The DOF shall then transfer such assets and liabilities to the appropriate agencies of the National Government.

Section 4. Separability Clause. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions of the Order for as long as such remaining portions can still subsist and give effect.

Section 5. Repealing Clause. All executive issuances, rules and regulations or parts thereof which are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

Section 6. Effectivity. This Executive Order shall take effect immediately.

City of Manila, 26 October 2004.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 380-A
CLARIFYING CERTAIN PROVISIONS OF EXECUTIVE ORDER NO. 380
DATED OCTOBER 26, 2004

WHEREAS, the Public Estate Authority (PEA) created under Presidential Decree No. 1084 was established to provide for a coordinated, economical and efficient administration of lands and real estate especially reclaimed lands belonging to, managed and/or operated by the government and was further designated to be primarily responsible for integrating, directing and coordinating all reclamation projects for and on behalf of the National Government pursuant to Executive Order No. 525 dated February 14, 1979;

WHEREAS, the PEA is tasked to develop, improve, administer, deal in, subdivide, dispose, lease and sell any and all kinds of lands, buildings, estates and other forms of real property owned, managed, controlled and/or operated by the government;

WHEREAS, current national policy identifies reclamation undertaking as one of the primary sources Government revenue and is incorporated in the Medium-Term Philippine Development Plan for the years 2004-2010 which carries the imprimatur of the Office of the President and the Congress;

WHEREAS, the Department of Finance (DOF) is the principal agency responsible for the generation and management of financial resources of the government;

WHEREAS, Executive Order No. 329, series of 2004 transferred the oversight over the PEA from the Department of Public Works to the Department of Finance;

WHEREAS, pursuant to the Administrative Code of 1987, the President has the continuing authority to reorganize the National Government;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Transformation of PEA into PRA. The PEA is hereby renamed the Philippine Reclamation Authority, and shall continue to perform the powers and functions of the PEA pursuant to Presidential Decree No. 1084 (PEA Charter) as amended under Executive Order No. 525 (EO 525) and Executive Order No. 654 (EO 654), including but not limited to the functions to reclaim land; to develop, manage and dispose of lands, buildings, estates and other forms of real property arising from functions of the PEA pursuant to Presidential Decree No. 1084 (PEA Charter) as amended under Executive Order No. 525 (EO 525) and Executive Order No. 654, (EO 654), including but not limited to the functions to reclaim land; to develop, manage and dispose of lands, buildings, estates and other forms of real property arising from reclamation; to provide, operate or administer infrastructure facilities and services on the above-mentioned reclaimed properties; and to authorize, through the rules of public bidding, reclamation projects by other entities.

SECTION 2. PRA Subsidiary. The Public Estates Authority Tollway Corporation (PEATC) is hereby spun off as a separate corporation with its own management and supervision, notwithstanding it shall continue to be recognized as a subsidiary of the PRA. The Chairman and members of the Board

of PEATC shall be appointed by the President of the Philippines and shall include some representatives of the PRA. PEATC shall remit to the PRA whatever dividends it may derive from its operations.

SECTION 3. Non-Reclamation Assets of PRA. The PRA shall transfer to the National Government or to the appropriate Government agency or corporation its non-reclamation assets.

SECTION 4. Separability Clause. If any provision of this Executive Order is declared unconstitutional the other portions or provisions hereof which are not affected therefore shall continue to be in full force and effect.

SECTION 5. Repealing Clause. All executive issuances, rules and regulations or parts thereof which are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

SECTION 6. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 3rd day of April, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 380-B
AMENDING SECTION 2 OF EXECUTIVE ORDER NO. 380-A, DATED APRIL 3, 2006

WHEREAS, Executive Order (EO) No. 380, dated October 26, 2004, transformed the Public Estates Authority (PEA), created by Presidential Decree (PD) No. 1084, into the Philippine Reclamation Authority (PRA);

WHEREAS, the PEA Tollway Corporation (PEATC) is a subsidiary corporation of PRA registered with the Securities and Exchange Commission (SEC);

WHEREAS, Section 2 of EO No. 380-A provides that the Chairman and members of the PEATC Board shall be appointed by the President of the Philippines;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Section 2 of Executive Order No. 380-A, dated April 3, 2006, is hereby amended to read as follows:

“SECTION 2. PRA Subsidiary. The Public Estates Authority Tollway Corporation (PEATC) is hereby spun off as a separate corporation with its own management and supervision. It shall continue to be recognized as a subsidiary of the PRA. PEA TC shall remit to the PRA whatever dividends it may derive from its operations.”

SEC. 2. All executive orders, rules and regulations and other issuances or parts thereof, which are inconsistent with this Executive Order, are hereby revoked, amended, or modified accordingly.

SEC. 3. This Executive Order shall take effect immediately upon its publication in a national newspaper of general circulation.

DONE in the City of Manila, this **15th** day of **December**, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 381
PLACING THE BATAAN TECHNOLOGY PARK UNDER THE JURISDICTION
OF THE SUBIC BAY METROPOLITAN AUTHORITY

I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Jurisdiction. The Bataan Technology Park (BTP) is hereby placed under the jurisdiction of the Subic Bay Metropolitan Authority (SBMA). All territories comprising the BTP shall henceforth be known as SBMA-Bataan.

Section 2. Economic Zone and Freeport. SBMA-Bataan shall follow all the rules of SBMA as an Economic Zone and Freeport.

Section 3. Regulatory Powers, Functions and Authority. The regulatory powers, functions and authority over BTP, henceforth known as SBMA-Bataan, are hereby transferred from the Bases Conversion Development Authority to the SBMA.

Section 4. Management Structure. BTP, henceforth known as SBMA-Bataan, shall continue to be managed in accordance with the charter of Bataan Technology Park, Incorporated. Its Chairman, Board, and President/Chief Executive Officer shall be appointed by the President of the Philippines. The Board is empowered to reorganize the management staff of SBMA-Bataan.

Section 5. Repealing Clause. All executive issuances, orders, rules and regulations, or any part thereof, which are inconsistent with any provision of this Executive Order are hereby revoked, amended or modified accordingly.

Section 6. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 26th day of October, in the year of our Lord, two thousand and four.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 382

DESIGNATING THE DEPARTMENT OF HEALTH AS LEAD AGENCY IN THE NATIONWIDE OBSERVANCE OF THE NATIONAL FOOD FORTIFICATION DAY EVERY 7TH OF NOVEMBER

WHEREAS, micronutrient deficiencies have persisted as a public health problem, affecting a significant proportion of the population, resulting in adverse physical, mental, social and economic consequences to individuals, communities and country;

WHEREAS, food fortification, one of the impact programs of the Philippine Plan of Action for Nutrition, is the long-term solution and most cost-effective strategy in addressing the micronutrient malnutrition problem which affects the most vulnerable population particularly mothers and young children;

WHEREAS, in 1995 ASIN Law (RA 8172) and in 2000 the Food Fortification Law (RA 8976) mandate the compulsory fortification of salt with iodine and rice with iron, flour with vitamin A and iron, oil with vitamin A, sugar with vitamin A respectively, to ensure a steady supply of the essential micronutrients to the communities;

WHEREAS, the food industry has committed to support the implementation of the said laws by ensuring availability and affordability of fortified food products nationwide;

WHEREAS, food fortification being one of the components of the Early Childhood Care and Development (ECCD) Act (RA 8980) aimed at enhancing the quality and extent of basic health, nutrition, psychosocial and early education services through institutionalization of a system that is comprehensive and sustainable with multi-sectoral and inter-agency collaboration at all levels;

WHEREAS, under the Local Government Code of 1991 (RA 7160) the local government shall be responsible for the implementation of basic health services including promotion, regulation and monitoring with assistance from the Department of Health and other concerned National Government Agencies.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby designate November 7, 2004 of every year as Food Fortification Day and order the following:

SECTION 1. Lead Agency. The Department of Health, through Secretary of Health, shall lead in the implementation of the National Food Fortification Day on November 7, 2004. As such, he shall be empowered to call upon all agencies of the Government for assistance in the implementation of this Executive Order, including but not limited to the following:

- A. Department of Agriculture
- B. Department of the Interior and Local Government
- C. Department of Education
- D. Department of Trade and Industry
- E. Department of Social Welfare and Development

- F. Academe, Civil Society and Non-Government Organizations
- G. Local Government Units through the Council of Leagues (Barangay Captains, Councilors, Mayors, Governors)

As the lead agency, the Department of Health shall formulate and disseminate guidelines and procedures on the implementation of this Executive Order, provide technical assistance to LGUs; conduct national and regional advocacy and social mobilization activities; and provide all the needed logistics and promotional materials in a timely manner and monitor all the activities at the local levels.

Sec. 2. Responsibilities of the Department of Agriculture (DA). The DA, through the Department Secretary, shall issue and disseminate appropriate memorandum circulars to all Directors of DA offices involved in the implementation of RA 8976 and RA 8172 such as the National Food Authority, Philippine Coconut Authority, Sugar Regulatory Administration and National Nutrition Council.

Sec. 3. Responsibilities of the Department of the Interior and Local Government (DILG). The DILG, through the Department Secretary, shall issue and disseminate memorandum circular to all local chief executives for the efficient and effective nationwide observance of the National Food Fortification Day.

Sec. 4. Responsibilities of the Department of Education (DepEd). The DepEd, through the Department Secretary, shall issue memorandum circular to all public and private primary and secondary schools to ensure that the teachers and school health officials will assist in the promotion of the National Food Fortification Day among the school population, parents and the community as a whole.

Sec. 5. Responsibilities of the Department of Trade and Industry (DTI). The DTI, through the Department Secretary, shall issue memorandum circular to all field offices to ensure availability of affordable fortified staples in the market nationwide.

Sec. 6. Responsibilities of the Department of Social Welfare and Development (DSWD). The DSWD, through the Department Secretary, shall issue memorandum circular to all field offices and day care centers to participate in the promotion and social mobilization to support the National Food Fortification Day in coordination with the LGUs.

Sec. 7. Participation of the Academe, Non-Government Organizations and Civil Society. All non-government organizations, members of the civil society and the academe are encouraged to contribute to the success of the observance of the National Food Fortification Day through promotional campaign, social mobilization and other appropriate means.

Sec 8. Local Government Units through the Council of Leagues (Barangay Captains, Councilors, Mayors, Governors). The Council of Leagues are encouraged to contribute to the success of the observance of the National Food Fortification Day through promotional campaign and mobilization of health personnel to monitor and submit report on the conduct of said event in their areas of jurisdiction.

Sec. 9. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 29th day of October, in the year of Our Lord, Two Thousand and Four.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 383
PLACING THE PHILIPPINE CHARITY SWEEPSTAKES OFFICE UNDER THE SUPERVISION
AND CONTROL OF THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT

WHEREAS, the Department of Social Welfare and Development (DSWD) is the principal government agency that implements the State's commitment to the care, protection and rehabilitation of individuals, families and communities, by providing a balanced approach to welfare;

WHEREAS, the Philippine Charity Sweepstakes Office (PCSO) is one of the government agencies tasked with raising and providing funds for health programs, medical assistance and services, and charities of national character;

WHEREAS, in order to facilitate coordination of policies and programs between these agencies, it is practical to place the PCSO under the supervision and control of the DSWD;

WHEREAS, Book III, Title III, Chapter 10, Section 31 (3) of the Administrative Code of 1987, authorizes the President to "[T]ransfer any agency under the Office of the President to any other department or agency x x x".

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Philippine Charity Sweepstakes Office shall hereby be under the supervision and control of the Department of Social Welfare and Development.

SECTION 2. All orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 8th day of **November**, in the year of our Lord, two thousand and four.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 384
EMPOWERING A SENIOR OFFICIAL OF THE SUBIC BAY METROPOLITAN AUTHORITY
TO COMBAT VIOLATIONS OF CUSTOMS LAWS AT THE SBMA AREA

WHEREAS, the development of Subic and Clark as the best logistics hub in the region is one of the ten points of the legacy agenda of the Administration;

WHEREAS, large-scale smuggling and frauds upon customs and other related practices undermine the economy and national security;

WHEREAS, the prevention and suppression of smuggling and other related practices against customs laws at the Subic Bay Freeport and all areas under the jurisdiction of the Subic Bay Metropolitan Authority (SBMA) is one of the urgent concerns of the Administration;

WHEREAS, the empowerment of a Senior SBMA Official to combat violations of customs laws at the SBMA area is necessary to effectively counteract this form of economic sabotage, strengthen the system of enforcing revenue laws, and hasten the realization of one of the 10-point agenda;

WHEREAS, the Administrative Code of 1987 vests the President with the continuing authority to reorganize the Office of the President and to transfer functions of one department or agency to another;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. EMPOWERMENT OF SENIOR SBMA OFFICIAL. The President shall designate a Senior SBMA official to combat smuggling, unlawful importations, and other frauds upon customs laws committed at the Subic Special Economic and Freeport Zone (SSEFZ) area. He shall be recognized as the SBMA Director for Anti-Smuggling.

SECTION 2. DETAIL OF PERSONNEL. The SBMA Director for Anti-Smuggling is hereby authorized to obtain the detail to him of personnel from the Intelligence Service Armed Forces of the Philippines, the Armed Forces of the Philippines, and the Philippine National Police. He is likewise authorized to obtain augmentation of personnel from the Bureau of Customs and the Department of Justice for the issuance of warrants of seizure and detention, investigation and prosecution. He shall designate his deputy.

SECTION 3. POWER AND FUNCTIONS. The SBMA Director for Anti-Smuggling shall have the following powers and functions:

1. Prepare and implement appropriate and effective measures to prevent and suppress large-scale smuggling and other prohibited and unlawful importations at the SSEFZ area.
2. Effect, subject to applicable laws, searches, seizures and arrests, and file administrative and criminal cases conformably with the provisions of the Tariff and Customs Code of the Philippines, as amended, pertinent provisions of the Revised Penal Code, as amended, and the Rules of Criminal Procedure.

3. Conduct intelligence and counterintelligence operations, including the monitoring of situation, circumstances, and activities of individuals, groups and entities who are involved in or who are reasonably believed to be behind smuggling activities.
4. Select and recruit personnel from the SBMA, and officers, enlisted personnel and civilian agents from the AFP, the PNP and the Coast Guard as well as Customs and DOJ personnel who will be on detail with him.
5. Enlist the assistance of any department, bureau, office or agency of the government to carry out its functions, including the use of their personnel, facilities and other resources.
6. Conduct verification with the Bureau of Customs of all documents pertaining to the importation and the payment of duties and taxes of all imported articles.
7. Perform such functions and carry such activities as may be directed by the President.

SECTION 4. SPECIAL PROSECUTORS. To assist the SBMA Director for Anti-Smuggling in the expeditious prosecution of criminal and other cases involving large scale smuggling and customs fraud, DOJ lawyers shall be placed on detail with the SBMA Director for Anti-Smuggling as the need arises.

SECTION 5. AUTHORIZATION. The Commissioner of Customs or his authorized representative shall, if necessary, issue such authorization and orders required under the Tariff and Customs Code for all purposes relevant to the effective exercise and performance of the powers and functions of the SBMA Director for Anti-Smuggling.

SECTION 6. FUNDING. Subject to the usual audit, the SBMA Director for Anti-Smuggling shall be provided with an allocation to be determined by the Chairman of the SBMA, to be sourced from the SBMA.

SECTION 7. OPERATING GUIDELINES. The SBMA Director for Anti-Smuggling shall adopt, in coordination with customs law enforcement agencies, such operating guidelines as may be necessary to implement this Executive Order. He shall submit to the SBMA Chairman reports of his activities with appropriate recommendations for the information and guidance of the SBMA Chairman.

SECTION 8. COORDINATING INSTRUCTIONS. Close coordination and cooperation shall be undertaken by the SBMA Director for Anti-Smuggling with the Bureau of Customs, Philippine Ports Authority, ISAFP, NICA, AFP, PNP, BIR, LTO, Philippine Coast Guard, SBMA, and all other agencies which may be involved in carrying out the mission and functions of the SBMA Director for Anti-Smuggling.

SECTION 9. REPEALING CLAUSE. All orders, issuances, rules and regulations or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 10. EFFECTIVITY. This Executive order shall take effect immediately upon its publication in a newspaper of national circulation.

Done, in the City of Manila, this 8th day of November, in the year of our Lord, Two Thousand and Four.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 385
CREATING THE TASK FORCE ON ANTI-SMUGGLING

WHEREAS, smuggling and other acts contrary to customs laws committed on a large scale or by criminal syndicates continue to pose a direct and serious threat to the national economy;

WHEREAS, a comprehensive approach involving the different departments and agencies of government is necessary in order to eradicate this threat;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has the continuing authority to reorganize the administrative structure of the Executive department;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me under the Constitution and existing laws, do hereby order:

Section 1. *Creating a Task Force on Anti-Smuggling.* There is hereby created a Task Force on Anti-Smuggling to combat large scale smuggling. Executive Order No. 297 dated March 10, 2004 entitled *Creating the Office of the Anti-Smuggling Presidential Adviser* is hereby reactivated in its entirety subject to the following amendments, to wit:

- a) The Office of the Anti-Smuggling Presidential Adviser under the Office of the President is hereby abolished. Its functions are hereby transferred to a Task Force on Anti-Smuggling with the Secretary of Interior and Local Government as Task Force Head and composed of personnel to be selected by the said Task Force Head.
- b) The Task Force shall interface with the Subic Bay Metropolitan Authority (SBMA) Director for Anti-smuggling on matters under the territorial jurisdiction of the SBMA.

Section 2. *Funding.* Funds for the operation of the Presidential Task Force shall be sourced from such funding sources as may be recommended by the Department of Budget and Management.

Section 3. *Repealing Clause.* All executive issuances, rules and regulations or parts thereof which are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

Section 4. *Effectivity.* This Executive Order shall take effect immediately.

City of Manila. NOV 16 2004

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 386
REVIVING THE AUTHORITY OF THE NATIONAL FOOD AUTHORITY TO INTERVENE
IN THE STABILIZATION OF THE PRICE OF SUGAR

WHEREAS, pursuant to Executive Order No. 293, series of 2004, the National Food Authority was mandated to intervene in the stabilization of the price of sugar and to undertake such actions necessary for the same until June 30, 2004;

WHEREAS, there is a continuing need to stabilize the price of sugar which is a basic necessity under R.A. 7581, otherwise known as the Price Act brought about by the low farmgate prices thereof to the detriment of farm-producers;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Sec. 1. ***Intervention by the National Food Authority.*** The National Food Authority (NFA) is hereby authorized anew to intervene in the stabilization of sugar prices and to procure or cause the procurement of raw sugar, regardless of classification, in such volume as the NFA may deem necessary in consultation with the Department of Agriculture. The NFA is further authorized to incur the necessary expenses to effectively undertake such activity.

Sec. 2. ***Funding.*** For this purpose, the NFA is hereby authorized to make available and use its corporate funds, manpower, other facilities and credit lines, as well as the unremitted income accruing to the Agricultural Competitiveness Enhancement Fund (ACEF) as derived from the incentives of the Minimum Access Volume Importation of Sugar. The NFA is likewise exempted from the payment of advance Value Added Tax (VAT) when it refines its procured sugar.

Sec. 3. ***Nature of Funds.*** All disbursements, as well as administrative and operational expenses incurred by virtue hereof shall be treated as a Special Projects Account, subject to the usual accounting and auditing rules and regulations.

Sec. 4. ***Implementing Guidelines.*** The NFA, in consultation with the Department of Agriculture, shall issue the necessary guidelines to implement the provisions of this Executive Order, specifically the pricing mechanism, marketing and distribution strategies and monitoring system.

Sec. 5. ***Effectivity.*** This Executive Order shall take effect immediately and shall remain valid until August 31, 2005.

Done in the City of Manila, this 18th day of November, in the year of Our Lord, Two Thousand and Four

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALCAÑANG
MANILA

EXECUTIVE ORDER NO. 387

TRANSFERRING THE LOCAL WATER UTILITIES ADMINISTRATION FROM THE OFFICE OF THE PRESIDENT TO THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH) AND STRENGTHENING THE SUPERVISION BY THE DPWH SECRETARY OVER THE METROPOLITAN WATERWORKS AND SEWERAGE SYSTEM

WHEREAS, the Local Water Utilities Administration (LWUA), which was created by virtue of Presidential Decree No. 198, as amended, is currently attached to the Office of the President by virtue of Executive Order No. 279, series of 2004;

WHEREAS, the Metropolitan Waterworks and Sewerage System (MWSS) was created by virtue of Republic Act No. 6234, as amended, and is currently attached to the DPWH by virtue of Executive Order No. 124, series of 1987;

WHEREAS, there is a need for a concerted and well-coordinated effort in formulating policies as well as planning and implementing programs and projects for the water sector;

WHEREAS, there is a need to speed-up the provision of potable water in every barangay;

WHEREAS, the DPWH is mandated to ensure that the planning, design, construction and maintenance of infrastructure facilities such as national highways, flood control and water resource development systems are in accordance with the highest level and safety and efficiency and with the overall national development objectives;

WHEREAS, under Section 31, Chapter 10, Book III of Executive Order No. 292, series of 1987, otherwise known as the "Administrative Code of 1987", the President, in order to achieve simplicity, economy and efficiency, has the continuing authority to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Transfer of LWUA to DPWH.* – The Local Water Utilities Administration (LWUA) is hereby transferred from the Office of the President to the Department of Public Works and Highways (DPWH).

SECTION 2. *Authority to Exercise Administrative Supervision.* – The Secretary of Public Works and Highways is hereby authorized to exercise administrative supervision over the LWUA and the MWSS, with the objective of providing a concerted and well-coordinated effort in formulating policies, as well as planning and implementing programs and projects for the water sector.

For this purpose, the DPWH Secretary shall, among others:

- a. Coordinate and oversee the policy-making processes of the respective governing boards of the LWUA and the MWSS;
- b. Require the submission of reports as the DPWH Secretary may deem necessary, including periodic reports of their respective policies and the implementation of their major programs and projects, and their respective audited financial statements within sixty (60) days after the close of the fiscal year;

- c. Initiate measures within the agency to promote efficiency and effectiveness, including, but not limited to, the conduct of management audits, performance evaluations and inspections to determine compliance with established policies, standards and guidelines;
- d. To take such action as may be necessary for the proper performance of official functions, including rectification of violations, abuses and other forms of maladministration; and
- e. In general, to oversee the operations of the LWUA and the MWSS to ensure that these agencies are managed efficiently and effectively.

SECTION 3. *Rules and Regulations.* – The DPWH Secretary, in consultation with the Chairman of the LWUA and the MWSS, is hereby authorized to issue rules and regulations for the effective implementation of the provisions of this Executive Order.

SECTION 4. *Repealing Clause.* – The provisions of Executive Order No. 279 (s. 2004) which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly. All other executive issuances, rules, regulations or parts thereof, which are inconsistent with any of the provisions hereof are hereby repealed, amended or modified accordingly.

SECTION 5. *Effectivity.* – This Executive Order shall take effect upon its publication in the Official Gazette or in a newspaper of general circulation in the Philippines.

DONE in the City of Manila, this 18th day of November, in the year of Our Lord, Two Thousand and Four.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). [*Executive Order Nos.: 301 - 400*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 388
REPEALING EXECUTIVE ORDER NO. 256

WHEREAS, there exists a boundary dispute between the Municipality of Taguig and the City of Makati over certain areas in the former Fort Bonifacio docketed as Civil Case No. 63896 and pending with the Regional Trial Court of Pasig, Branch 153 since 1993;

WHEREAS, the parties to the case have elevated the matter and other incidents related to the boundary dispute to the Court of Appeals and/or the Supreme Court;

WHEREAS, it would be best for the court to make the final determination as to the boundary between the Municipality of Taguig and the City of Makati.

NOW, THEREFORE, I GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Executive order No. 256 dated December 8, 2003 is hereby repealed.

SECTION 2. All orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 26th day November, in the year of our Lord, two thousand and four.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 389
PROMULGATING THE SIXTH REGULAR FOREIGN INVESTMENT NEGATIVE LIST

WHEREAS, Republic Act (RA) No. 7042 also known as the Foreign Investment Act of 1991, as amended by RA 8179, provides for the formulation of a Regular Foreign Investment Negative List covering investment areas/activities which may be opened to foreign investors and/or reserved to Filipino nationals;

WHEREAS, the Regular Foreign Investment Negative list, consisting of Lists A and B, is effective for two years and has expired on 8 November 2004, pursuant to Section 8 of RA 7042, as amended, and its revised Implementing Rules and Regulations;

WHEREAS, there is a need to formulate a Sixth Regular Foreign Investment Negative List in view of the expiration of the existing list to reflect the changes to Lists A and B provided in specific laws;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by Law, do hereby order:

SECTION 1. Only the investment areas or activities listed in Annex A hereof shall be reserved to Philippine nationals, and hereafter shall be referred to as the Sixth Regular Foreign Investment Negative List. The extent of foreign equity participation in these areas shall be limited to the percentages indicated in the List.

SECTION 2. Any amendment to List A may be made at any time to reflect changes instituted in specific laws while amendments to List B shall not be made more often than once every two years, pursuant to Section 8 of RA 7042 as amended, and its revised Implementing Rules and Regulations.

SECTION 3. All orders, issuances, rules and regulations or parts thereof, which are inconsistent with this Order are hereby revoked or modified accordingly.

SECTION 4. This Executive Order shall take effect 15 days after publication in a newspaper of general circulation.

DONE in the City of Manila, this 30th day of November, in the year of Our Lord, Two Thousand and Four.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Reference: “Annex A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 390
EXECUTIVE ORDER AMENDING EXECUTIVE ORDER NO. 171 DATED JANUARY 22, 2003
BY EXTENDING THE PERIOD FOR THE SURRENDER AND LICENSING OF LOOSE
FIREARMS TO SEPTEMBER 30, 2005, AND THE UTILIZATION OF FUNDS
FROM THE PROCEEDS THEREOF

WHEREAS, Executive Order No. 171 was approved on January 22, 2003 to encourage and give an opportunity to the holders of loose firearms to obtain the required firearms license and to increase Firearms Ballistics Data Bank of the Philippine National Police;

WHEREAS, due to the amendments to its implementing rules and regulations and the COMELEC Gun Ban at that time, Executive Order 171 was implemented only for six (6) months;

WHEREAS, there is a need to extend the period for the registration and licensing of all loose firearms in the possession of individuals who were not able to take advantage of Executive Order 171.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The period for the registration and licensing of all loose firearms provided for in Executive Order No. 171 is hereby extended to one (1) year, up to September 30, 2005, and to utilize the funds from the proceeds thereof in accordance with the provisions of Executive Order No. 171

SEC. 2. All orders, issuances, rules and regulations or part thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 3. This order shall take effect immediately.

DONE in the City of Manila, this 13th day of December, in the year of Our Lord, Two Thousand and Four.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 391

DIRECTING ALL GOVERNMENT AGENCIES AND INSTRUMENTALITIES, INCLUDING
LOCAL GOVERNMENT UNITS, TO IMPLEMENT THE MEDIUM-TERM PHILIPPINE
DEVELOPMENT PLAN (MTPDP), 2004-2010 AND THE MEDIUM-TERM
PUBLIC INVESTMENT PROGRAM (MTPIP), 2005-2010

WHEREAS, the President has laid out a Ten-Point Agenda around which sets the policy direction and targets for 2004 to 2010;

WHEREAS, the Ten-Point Agenda is the focus of planning and operation of the government and as such is the substantial basis for the Medium-Term Philippine Development Plan (MTPDP), 2004-2010;

WHEREAS, the basic task of the MTPDP, 2004-2010, is to fight poverty and build prosperity for the greatest number of the Filipino people;

WHEREAS, the MTPDP, 2004-2010, was fleshed out in a series of Cabinet and inter-agency meetings;

WHEREAS, to support the MTPDP, there is need to identify the specific activities, programs and projects that will be carried out by agencies for the period 2004-2010;

WHEREAS, such programs, projects and activities will be embodied in the Medium-Term Public Investment Program (MTPIP), 2005-2010;

WHEREAS, the MTPIP, 2005-2010, shall contain the three-year rolling set of priority programs and projects to be implemented by the national government agencies (NGAs), government-owned and -controlled corporations (GOCCs), government financial institutions (GFIs) and other government corporate entities (OGCEs) and their subsidiaries in support of the targets and strategies of the MTPDP, 2004-2010;

WHEREAS, the MTPIP, 2005-2010, shall be consistent with the fiscal program and prioritized through the Efficiency and Effectiveness Review (EER) criteria approved and adopted by the high-level planning committees and/or Cabinet Clusters;

WHEREAS, the successful implementation of the Plan and the Investment Program rests on the support of all the stakeholders;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Coverage. All NGAs, including state universities and colleges (SUCs), GOCCs, GFIs, and OGCEs and their subsidiaries, the local government units (LGUs), and other instrumentalities under the Executive Department, whether or not they receive funding support through the General Appropriations Act, are hereby ordered to adopt and disseminate the MTPDP, 2004-2010 and undertake efforts leading to its full implementation.

SEC. 2. *Aligning Budgetary and Departmental Programs with the MTPDP 2004-2010.* All heads of agencies, corporations and institutions are hereby directed to align the budgetary and departmental/corporate programs with the strategies and activities identified in the MTPDP, 2004-2010.

SEC. 3. *The MTPIP, 2005-2010.* All heads of national agencies, corporations and institutions are hereby instructed to adhere to the MTPIP formulation guidelines issued by the National Economic and Development Authority (NEDA) on 26 July 2004 and the Programming and Budgeting Guidelines for 2006-2010 issued by the Department of Budget and Management (DBM) in its Circular Letter No. 2004-11 dated 31 August 2004.

The formulation of the MTPIP, 2005-2010 shall be completed by December 2004 and updated annually in parallel with the preparations of the annual National Government budget.

SEC. 4. *MTPDP and MTPIP Monitoring and Reporting.* All heads of agencies, corporations and institutions are hereby directed to submit to the NEDA Board through the NEDA Secretariat, the annual agency performance/accomplishment reports consistent with the MTPDP and MTPIP format, that is, the Strategy Planning Matrix (SPM) and the Agency Three-Year Rolling Public Investment List (PIL). The report shall detail actual performance vis-a-vis the priority strategies and activities (PSAs), major final outputs (MFOs), as well as status of implementation of the programs, activities and projects (PAPs). The NEDA Secretariat shall report the key accomplishments in the annual Socio-Economic Report (SER).

SEC. 5. The NEDA Director-General is hereby authorized, upon consultation with the President, to issue such memoranda, circulars or other orders as may be considered necessary or advisable in the coordination of the implementation, monitoring, assessment and updating of the MTPDP and MTPIP.

SEC. 6. The DBM shall provide the necessary budgetary support for the implementation, monitoring, assessment and updating of the MTPDP and MTPIP subject to the usual accounting and auditing requirements.

SEC. 7. *Repealing Clause.* All issuances, orders, guidelines, rules and regulations inconsistent herewith are hereby revoked.

SEC. 8. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 13th day of December, in the year of Our Lord, Two Thousand and Four.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2004). [*Executive Order Nos.: 301 - 400*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 392

AMENDING EXECUTIVE ORDER NO. 182 DATED FEBRUARY 14, 2003 ENTITLED
“TRANSFERRING THE MEDICARE FUNCTIONS OF THE OVERSEAS WORKERS WELFARE
ADMINISTRATION TO THE PHILIPPINE HEALTH INSURANCE CORPORATION”

WHEREAS, Section 2 of Executive Order No. 182 dated February 14, 2003 did not differentiate between the amount to be transferred to Philippine Health Insurance Corporation, (PHIC) and the amount to be retained and used by OWWA exclusively for implementing a supplemental health benefit package for OFWs;

WHEREAS, there is a need to amend Section 2 of Executive Order No. 182.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Section 2 of Executive Order No. 182 dated February 14, 2003 is hereby amended to read as follows:

“SEC. 2. *Transfer of Health Insurance Funds of the OWWA.* – A portion of the Health Insurance Fund being administered by the OWWA shall be transferred to the PHIC within sixty (60) days from the effectivity of this Executive Order. The Fund to be transferred shall be in the amount actuarially needed to fund the basic OFW Medicare Program for a period of one (1) year to ensure continuity of service to OFWs *provided*, that the remaining portion of the Health Insurance Fund shall be retained and used by OWWA exclusively for implementing a supplemental health benefit package for OFWs.

The transfer shall in no case result in any diminution or discontinuity of the existing benefit package.”

SEC. 2. *Repeal.* – All orders, rules, regulations, issuances or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 3. *Effectivity.* – This Executive Order shall take effect fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of general circulation.

DONE, in the City of Manila, this 28th day of December, in the year of Our Lord Two Thousand and Four.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 393
ABOLISHING THE ANTI-SMUGGLING INTELLIGENCE AND INVESTIGATION CENTER

WHEREAS, the Anti-Smuggling Intelligence and Investigation Center was created pursuant to Executive Order No. 155 dated December 11, 2002, to investigate and interdict smuggling and other acts contrary to the Tariff and Customs Code of the Philippines committed on a large scale or by criminal syndicates;

WHEREAS, it is this Administration's policy to streamline the government bureaucracy in order to promote economy and efficiency in the government to enable it to pursue programs related to the national goal of accelerated socio-economic development; and

WHEREAS, Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987 grants the President continuing authority to reorganize the administrative structure of the Office of the President;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Abolition. – The Anti-Smuggling Intelligence and Investigation Center created under Executive Order No. 155, series of 2002, is hereby abolished. Its personnel are hereby returned to their mother units, and its assets are hereby transferred to the Presidential Anti-Organized Crime Commission.

SEC. 2. Repealing Clause. – All executive issuances, orders, rules and regulations or parts thereof inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SEC. 3. Effectivity. – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 28th day of December, in the year of our Lord Two Thousand and Four.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 394

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE PREFERENTIAL TARIFF RATES ON CERTAIN PRODUCTS UNDER THE ASEAN INDUSTRIAL COOPERATION (AICO) SCHEME, IN FAVOR OF HONDA CARS PHILIPPINES, INC (HONDA)-(COE NOS. HONDA/2004/39 AND HONDA/2004/37)

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on the ASEAN Industrial Cooperation Scheme (AICO) signed in Singapore on 27 April 1996;

WHEREAS, the Philippines is a participating country in the approved AICO Arrangements of Honda Cars Philippines, Inc. along with Indonesia and Malaysia;

WHEREAS, under the Honda AICO Certificate of Eligibility No. Honda/2004/39, the Philippines (Honda Cars Philippines, Inc.) will import from Indonesia (PT. Honda Prospect Motor and PT. Honda Precision Parts Manufacturing) certain original equipment manufacture (OEM) automotive parts/components for Honda Civic (HS 8703.90 10). In exchange, Indonesia (PT. Honda Prospect Motor and PT. Honda Precision Parts Manufacturing) will import from the Philippines complementary parts/components for the OEM of Honda Civic and Stream;

WHEREAS, under the Honda AICO Certificate of Eligibility No. Honda/2004/37, the Philippines (Honda Cars Philippines, Inc.) will import from Malaysia (Honda Malaysia Sdn. Bhd. and Honda Autoparts Manufacturing (M) Sdn. Bhd.) certain original equipment manufacture (OEM) automotive parts/components for Honda Civic (HS 8703.90 10). In exchange, Malaysia (Honda Malaysia Sdn. Bhd. and Honda Autoparts Manufacturing (M) Sdn. Bhd.) will import from the Philippines complementary parts/components for the OEM of Honda Accord, City and Civic;

WHEREAS, AICO Certificate of Eligibility Nos. Honda/2004/39 and Honda/2004/37 were issued on 26 July and 31 July 2004, in favor of the participating companies in the Honda AICO Arrangement;

WHEREAS, in consonance with Articles 5 and 7 of the Basic Agreement of the AICO Scheme, participating companies in the approved Honda AICO Arrangements shall qualify for 0 – 5% preferential tariff rates to be extended by Indonesia, Malaysia and the Philippines as participating countries;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rate of 3% on parts/components as specified in Column 7 thereof.

SECTION 2. The AICO rate provided in Annex “A” shall be accorded to the AICO entity in Indonesia (PT. Honda Prospect Motor and PT. Honda Precision Parts Manufacturing) and Malaysia

(Honda Malaysia Sdn. Bhd. and Honda Autoparts Manufacturing (M) Sdn. Bhd.) upon the effectivity of this Executive Order.

SECTION 3. In the event that any subsequent changes are made in the basic (MFN) Philippine rate of duty on any of the articles listed in Annex “A” to a rate lower than the AICO rate prescribed in Column 7 of Annex “A” such articles shall automatically be accorded the corresponding reduced rate of duty.

SECTION 4. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annex “A” which are entered or withdrawn from warehouses in the Philippines for consumption shall pay the applicable AICO preferential tariff rates specified under Section 1 hereof, subject to qualification under the Rules of Origin for the CEPT, as evidence by the Certificate of Origin- Form “D”.

SECTION 5. This Executive Order shall take effect fifteen (15) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 31st day of December, in the year of Our Lord, Two Thousand and Four.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Reference: Annex “A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 395
MODIFYING THE NOMENCLATURE AND THE RATES OF IMPORT DUTY ON
INFORMATION TECHNOLOGY (IT) PRODUCTS UNDER SECTION 104 OF THE TARIFF
AND CUSTOMS CODE OF 1978 (PRESIDENTIAL DECREE NO. 1464, AS AMENDED)

WHEREAS, on 13 December 1996, fourteen (14) economies signed in Singapore a Ministerial Declaration on Trade in Information Technology (IT) Products providing for the elimination/binding of tariffs on certain IT products beginning 01 July 1997 and ending on 01 January 2000 with extended staging of tariff reductions up to the year 2005 for developing countries;

WHEREAS, the Philippines formally signed the Information Technology Agreement (ITA) on 01 April 1997 and was ratified by the Philippine Senate on 03 December 1998;

WHEREAS, the Philippines availed of the flexibility of extended staging of tariff reductions on sensitive IT products up to year 2005 as approved by the Tariff and Related Matters (TRM) Cabinet Committee in its meeting of 24 March 1997 and confirmed by the NEDA Board on 25 March 1997;

WHEREAS, Section 402 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empowers the President of the Republic of the Philippines, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the rates of import duty in accordance with the schedule indicated opposite each article.

SECTION 2. The nomenclature and the rate of import duty on tariff headings not enumerated and those listed but represented by the symbol “X X X” shall remain in force and effect.

SECTION 3. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid “Annex” which are entered in or withdrawn from warehouses in the Philippines for consumption shall be levied the rates of duty herein prescribed.

SECTION 4. All other Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 5. This Executive Order shall take effect on 01 January 2005 following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 31st day of December, in the year of Our Lord, Two Thousand and Four.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Reference: Annex “A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 396

REDUCING THE RATES OF IMPORT DUTY ON COMPRESSED NATURAL GAS MOTOR VEHICLES AND NATURAL GAS VEHICLE INDUSTRY – RELATED EQUIPMENT, PARTS AND COMPONENTS UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978 (PRESIDENTIAL DECREE NO. 1464), AS AMENDED

WHEREAS, the Natural Gas Vehicle Program for Public Transport (NGVPPT), which was launched on 16 October 2002, aims to enhance energy supply security in the transport sector through fuel for transport;

WHEREAS, Executive Order 164 (Modifying the Nomenclature and the Rates of Import Duty on Various Products Under Section 104 of the Tariff and Customs Code of 1978), issued on 10 January 2003, reduced the rates of duty on natural gas vehicle (NGV) industry-related equipment, parts and components to encourage active private sector participation in the NGVPPT in terms of providing the necessary support, logistics and infrastructure;

WHEREAS, Executive Order 290 (Implementing the Natural Gas Vehicle Program for Public Transport), issued on 24 February 2004, aims to ensure the effective implementation of the NGVPPT;

WHEREAS, import duties of 0% on compressed natural gas (CNG) motor vehicles and NGV, industry-related equipment, parts and components will serve as further incentive to NGVPPT participants to invest in CNG buses and equipment;

WHEREAS, Section 401 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empowers the President of the Republic of the Philippines to increase, reduce, or remove existing rates of import duty, as well as to modify the form of duty and tariff nomenclature, under Section 104 of the Code.

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the Most-Favoured-Nation (MFN) import duty for the period in accordance with the schedule indicated opposite each article.

SECTION 2. The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “x x x” shall remain in force and in effect.

SECTION 3. Upon the effectivity of this Executive Order, all articles listed in Annex “A” hereof which are entered or withdrawn from warehouses in the Philippines for consumption shall be levied the MFN rates of duty therein prescribed.

SECTION 4. The Department of Energy, in coordination with the Department of Trade and Industry, the National Economic and Development Authority and the Bureau of Customs, shall promulgate the implementing rules and regulations that will govern the implementation of this Executive Order.

SECTION 5. All Presidential issuances, administrative rules and regulations, or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 6. This Executive Order shall take effect thirty (30) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 31st day of December, in the year of Our Lord, Two Thousand and Four.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Reference: Annex “A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 397
REDUCING THE RATES OF IMPORT DUTY ON COMPLETELY-KNOCKED DOWN PARTS
AND COMPONENTS FOR ASSEMBLY OF LOW ENGINE DISPLACEMENT
AND HYBRID VEHICLES

WHEREAS, the government issued Executive Order No. 156, series of 2002, establishing a Comprehensive Industrial Policy and Directions for the Motor Vehicle Development Program to develop the Philippines as the manufacturing hub in ASEAN for certain motor vehicles, parts and components;

WHEREAS, the latest technological development in motor vehicle industry is the introduction of the so-called “hybrid” or partly-electrical vehicles which are deemed more powerful and more fuel efficient;

WHEREAS, it is a declared policy of the government to promote the judicious conservation and efficient utilization of energy resources thereby adopting the most cost-effective options toward the wiser and efficient use of energy;

WHEREAS, the transport sector is one of the highest fuel-consuming sector next to the industrial manufacturing sector:

WHEREAS, Executive Order No. 472, series of 1998, institutionalized the Committee on Fuel Conservation and Efficiency in Road Transport, and targets 5% reduction in fuel consumption by road transport users;

WHEREAS, Sections 401 and 402 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empower the President of the Republic of the Philippines, to increase, reduce or remove existing rates of duty, as well as, to modify the tariff nomenclature.

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the rates of import duty (Most Favored Nation (MFN) and Association of Southeast Asian Nations (ASEAN) – Common Effective Preferential Tariff (CEPT) in accordance with the schedule indicated in Columns 4 and 5 opposite each article;

SECTION 2. The ASEAN CEPT rates so indicated in Annex “A” shall be accorded to imports coming from ASEAN Member States applying CEPT concessions to the same product pursuant to Article 4 of the CEPT Agreement and its interpretative Notes;

SECTION 3. The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “xxx” shall remain in force and in effect;

SECTION 4. Upon the effectivity of this Executive Order, all articles listed in Annex “A” which are entered and withdrawn from warehouses in the Philippines for consumption, shall be levied the MFN rates of duty herein prescribed;

SECTION 5. Upon the effectivity of this Executive Order, all articles listed in Annex “A” which are entered and withdrawn from warehouses in the Philippines for consumption, shall be imposed the ASEAN CEPT rates herein prescribed, subject to qualification under the Rules of Origin as provided for in the Agreement on the CEPT Scheme for the ASEAN Free Trade Area on 28 January 1992;

SECTION 6. All Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly;

SECTION 7. This Executive Order shall be effective for a period of one (1) year subject to review;

SECTION 8. This Executive Order shall take effect thirty (30) days following the complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, Philippines, this 31st day of December, in the year of Our Lord, Two Thousand and Four.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Reference: Annex “A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2004). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 398

DIRECTING TIMELY AND COMPLETE PAYMENT OF TAXES AS A PRECONDITION FOR ENTERING INTO, AND AS A CONTINUING OBLIGATION IN CONTRACTS WITH THE GOVERNMENT, ITS DEPARTMENTS, AGENCIES AND INSTRUMENTALITIES

WHEREAS, the Arroyo Administration is committed to good governance, the expeditious implementation of development projects, and the speedy delivery of basic services;

WHEREAS, there is a continuing need to develop a comprehensive set of economic proposals that will raise government revenue;

WHEREAS, an increase in government revenue by the timely and complete payment of taxes, which are the lifeblood of the government, will improve and upgrade efficiency in the delivery of basic goods and services to the public;

WHEREAS, private parties contracting with the State shall benefit by the assurance of a stable source of funds, in the form of taxes, which the Government needs to compensate said private contracting parties for the goods and services to be delivered;

WHEREAS, to ensure the timely delivery of public services, it is imperative that all branches of the national government, its departments, bureaus, offices and agencies, including state universities and colleges, government-owned and/or controlled corporations, government financial institutions and local government units, be vigilant in their dealings with private contracting parties;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Sec. 1. All persons, natural or juridical, local or foreign, desiring to enter into or participate in any contract with the government, its departments, bureaus, offices and agencies, including state universities and colleges, government-owned and/or controlled corporations, government financial institutions and local government units, shall, as a pre-condition, submit, along with their proposal and/or bid, a copy of their latest income and business tax returns duly stamped and received by the Bureau of Internal Revenue, and duly validated with the tax payments made thereon.

They shall also submit a tax clearance from the Bureau of Internal Revenue to prove full and timely payment of taxes.

Sec. 2. All departments, bureaus, offices and agencies, including state universities and colleges, government-owned and/or controlled corporations, government financial institutions and local government units shall, before entering into a contract with a private contracting party, exert all efforts to determine that the private contracting party is free and clear of all tax liabilities to the government.

The private contracting party, through its responsible officer(s) shall, before entering into a contract with the public contracting party, certify under oath that it is free and clear of all tax liabilities to the government.

Sec. 3. To ensure continuing compliance with tax laws, all government contracts shall include a stipulation that the private contracting party shall pay taxes in full and on time and that failure to do

so will entitle the government to suspend payment for any goods or services delivered by the private contracting party.

All government contracts shall likewise include a stipulation requiring the private contracting party to regularly present, within the duration of the contract, a tax clearance from the Bureau of Internal Revenue as well as a copy of its income and business tax returns duly stamped and received by the Bureau of Internal Revenue and duly validated with the tax payments made thereon.

Sec. 4. All departments, bureaus, offices and agencies, including state universities and colleges, government-owned and/or controlled corporations, government financial institutions and local government units, shall regularly furnish the Bureau of Internal Revenue with the names of private contracting parties that they have contracted with, as well the amount of payments made to these private contracting parties, to enable the Bureau of Internal Revenue to scrutinize full and timely payment of taxes.

Sec. 5. The Department of Finance shall adopt such operating guidelines as may be necessary to implement this Executive Order.

Sec. 6. All executive issuances, rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

Sec. 7. This Executive Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

DONE in the City of Manila, this 12th day of January, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 399
REQUIRING THE BUREAU OF INTERNAL REVENUE TO ESTABLISH A PROGRAM
TO PROMOTE OPTIMUM TAX COMPLIANCE

WHEREAS, it is important for the efficiency of tax administration to significantly increase and for revenues to grow in step with the medium term development program of government;

WHEREAS, tax collection performance is to a large extent a function of the level of voluntary compliance of taxpayers;

WHEREAS, voluntary tax compliance is enhanced when compliant taxpayers are protected against undue audits and investigations even as tax evaders are punished;

WHEREAS, there is a need to establish a program to increase tax collections by providing taxpayers with incentives to voluntarily declare and pay higher taxes and by reducing administrative costs that are entailed from audits and investigations conducted by the Bureau of Internal Revenue;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Commissioner of Internal Revenue is hereby instructed to establish a program, to be known as the “No Audit Program” (NAP), wherein taxpayers who qualify under the terms and conditions to be prescribed by said program, shall be exempted from audit and/or investigation for the period for which they qualify.

SECTION 2. Under the NAP, the Commissioner of Internal Revenue shall provide for the conditions, in accordance with law, under which taxpayers liable for business income shall be exempted from audit and/or investigation. Provided, however, to be exempted from audit and/or investigation, the threshold required shall not be lower than the following:

- a. growth rate of income tax payment for the current tax year compared with the previous tax year must be at least 20%;
- b. growth rate of income tax payment for the last quarter of the current tax year compared with the last quarter of the previous tax year must be at least 25%;
- c. growth rate of income tax payment for the first quarter of the succeeding tax year compared with the first quarter of the current tax year must be at least 25%;
- d. ratio of income tax payment to gross sales/receipts for the current taxable year must be at least equal to that of the previous taxable year;
- e. ratio of income tax payment to gross sales/receipts for the first quarter of the succeeding taxable year must be at least equal to that of the first quarter of the current taxable year; and
- f. ratio of net value added tax or business tax actually paid to gross sales/receipts for the current taxable year must be at least equal to that of the previous taxable year, or the benchmark of the industry, as set by the Commissioner of Internal Revenue, whichever is higher.

SECTION 3. No taxpayer shall be allowed to participate in the program after taxable year 2004, unless said taxpayer is actually registered and commences its operations after taxable year 2004.

SECTION 4. Any participant who will discontinue participating in, or will not qualify under the program in any given taxable year shall be disqualified from further participation.

SECTION 5. The program shall be effective for a period of five (5) years commencing on taxable year 2004.

SECTION 6. Upon the recommendation of the Commissioner of Internal Revenue, the Secretary of Finance shall issue the implementing regulations required to implement and achieve the objectives of this Order.

SECTION 7. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 17th day of January, in the year of Our Lord, Two Thousand Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 400
REGULATING THE ASSIGNMENT AND ISSUANCE OF LOW-NUMBERED (PROTOCOL)
LICENSE PLATES TO MOTOR VEHICLES USED BY OFFICIALS
OF THE REPUBLIC OF THE PHILIPPINES

WHEREAS, in 1978, then President Ferdinand E. Marcos issued Executive Order No. 505 revoking E.O. No. 287 series of 1959 and E.O. No. 374 series of 1960, issued by then President Carlos P. Garcia assigning low-numbered/protocol plates to officials of the Republic of the Philippines;

WHEREAS, throughout the years, certain officials have received exemptions for them to use low-numbered/protocol plates on their motor vehicles resulting in the proliferation of these plates;

WHEREAS, the above exemptions have led to the use of low-numbered/protocol plates supplied by unknown sources for motor vehicles of certain officials, specifically, the use of number six (6), seven (7) and eight (8) by Cabinet Secretaries, Senators and Congressmen respectively;

WHEREAS, there is a need to provide a uniform system of assignment and issuance of low-numbered/protocol license plates to high-ranking government officials;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order:

SECTION 1. The following officials shall be entitled to the use of low-numbered/protocol license plates:

OFFICIALS	ASSIGNED NUMBER
President of the Republic of the Philippines	1 and/or PANGULO
Vice-President of the Republic of the Philippines	2
Senate President	3
Speaker of the House of Representatives	4
Chief Justice of the Supreme Court	5
Cabinet Secretary	6
Senator	7
Congressman	8
Associate Justices of the Supreme Court	9
Presiding Justice and other Justices of the Court of Appeals	10
Chairman of the Commission on Elections	11
Cabinet Undersecretary	12
Solicitor General	13
Chief of Staff, AFP/Chief, PNP	14
RTC Judges	16

SEC. 2. All other officials with equivalent rank/position as the above-listed officials are also entitled to the use of low-numbered/protocol license plates subject to the approval of the Secretary of the Department of Transportation and Communications upon the recommendation of the Assistant Secretary of the Land Transportation Office.

SEC. 3. These low-numbered/protocol plates shall be issued in pairs for motor vehicles duly registered in the name of the above listed officials or to their respective spouses. However, not more than two pairs of the said license plates for issuance to two (2) motor vehicles shall be assigned to any of the said officials with the exception of the President of the Philippines, the Vice-President of the Philippines, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court. Senators and Congressmen of the Philippines may be assigned not more than four (4) pairs of low-numbered/protocol plates.

SEC. 4. The assignment or transfer of low-numbered/protocol plates to unauthorized person/s or motor vehicles by government officials entitled thereto is strictly prohibited. Violation of this prohibition shall be sufficient cause for the revocation of the herein granted privilege and for the confiscation of the issued protocol plate, and imposition of the corresponding penalty for the violation/s committed as provided by existing laws.

SEC. 5. The Assistant Secretary, Land Transportation Office, is hereby authorized to promulgate the necessary regulatory measures to implement this order.

SEC. 6. All orders, directives, and issuances inconsistent herewith are deemed amended or modified accordingly.

SEC. 7. This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 18th day of January, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 400-A
AMENDING EXECUTIVE ORDER NO. 400, S. OF 2005, REGULATING THE ASSIGNMENT
AND ISSUANCE OF LOW-NUMBERED (PROTOCOL) LICENSE PLATES TO MOTOR
VEHICLES USED BY OFFICIALS OF THE REPUBLIC OF THE PHILIPPINES

I, **GLORIA MACAPAGAL-ARROYO**, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby amend Executive Order (EO) No. 400 dated January 18, 2005, as follows:

SECTION 1. Henceforth, Section 1 of EO 400, supra, shall be read to wit:

OFFICIALS	ASSIGNED NUMBER
President of the Republic of the Philippines	1 and/or PANGULO
Vice President of the Republic of the Philippines	2
Senate President	3
Speaker of the House of Representatives	4
Chief Justice of the Supreme Court	5
Cabinet Secretary	6
Senator	7
Congressman	8
Associate Justices of the Supreme Court	9
Presiding Justice/Other Justices of the Court of Appeals/ Solicitor General	10
Chairman of the Commission on Elections	11
Cabinet Undersecretary	12
Chief of Staff, AFP/Chief, PNP	14
RTC Judges	16

SEC. 2. All other provisions of EO 400, supra, shall remain valid and unchanged.

SEC. 3. This Executive Order shall take effect immediately.

DONE, in the City of Manila, this **6th** day of **September**, in the year of our Lord Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 301 - 400]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 401
EXTENDING FURTHER THE DURATION OF OPERATION OF THE PRESIDENTIAL
MIDDLE EAST PREPAREDNESS COMMITTEE (PMEPC)

WHEREAS, tensions in the Middle East continue to exist particularly in Iraq, continue to pose serious threat to the economic stability and related ramification on the country's national security and development;

WHEREAS, the safety and welfare of some 1.4 million overseas Filipino workers in the Middle East is of primordial concern to the national government;

WHEREAS, it is of critical importance that there is a focused and deliberate response to the developments in the Middle East;

WHEREAS, coordination between and among agencies engaged in the development of appropriate responses must be enhanced to efficiently address the situation;

WHEREAS, the Philippines as a member of the family of nations has committed to support the Iraqi people in rebuilding their nation in its quest for a lasting democracy;

WHEREAS, there is a need for the PMEPC to continue its mandate under Executive Order 159, including its additional tasks pursuant to Executive Order Nos. 194 and 195;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has the continuing authority to reorganize the functions of the Office of the President;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the extension of the duration of the PMEPC from December 23, 2004 to June 30, 2005 or unless otherwise directed by the President.

SECTION 1. Functions – The PMEPC shall continue to exercise its functions and responsibilities as provided under EO 159 dated December 23, 2003, EO 194 and EO 195, both dated April 14, 2003, as extended by EO 292 dated March 1, 2004.

SECTION 2. Funding – The Committee shall be provided with an additional allocation of SEVEN MILLION PESOS (P7,000,000.00) for its administrative and operational expenses to be drawn from the Contingency Fund of the Office of the President. Additional financial requirements that may be needed by the Committee shall be sourced out by the Department of Budget and Management from available funds of the concerned agencies forming part of the PMEPC, subject to the usual government accounting and auditing rules and regulations.

SECTION 3. Repeal – All other rules, regulations and issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 4. Effectivity – This Order shall take effect immediately.

DONE in the City of Manila, this 20th day of January, in the year of the Lord, two thousand and five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 402
ABOLISHING THE SPECIAL COMMITTEE ON SCHOLARSHIPS AND TRANSFERRING
ITS SCHOLARSHIP FUNCTIONS TO THE DEPARTMENT OF EDUCATION
FOR BASIC EDUCATION, TO THE COMMISSION ON HIGHER EDUCATION
FOR DEGREE COURSES, AND TO THE TECHNICAL EDUCATION FOR SKILLS
AND DEVELOPMENT AUTHORITY FOR NON-DEGREE COURSES

WHEREAS, the Special Committee on Scholarships (“Committee”) was created pursuant to a Cabinet Resolution dated 06 June 1956 to ensure that the requirements of the Economic Development Program of the Government for skilled manpower and knowledgeable workers are met through the efficacious availment of foreign-assisted training programs;

WHEREAS, the Committee administers the Department of Education (“DepEd”), the Commission on Higher Education (“CHED”) and the Technical Education Skills Development Authority’s (“TESDA”) scholarship training and grants sourced from official development assistance (“ODA”);

WHEREAS, the Committee is composed of members from various government offices which include the Department of Education, the Commission of Higher Education, the Department of Foreign Affairs, Department of Finance, the National Economic and Development Authority, the Civil Service Commission, the Presidential Management Staff and the Academe;

WHEREAS, in order to promote simplicity, economy and efficiency in the administration of scholarship training and grants sourced from ODA, it is necessary to abolish the Committee, and its scholarship functions are to be transferred to the DepEd for basic education, to the CHED for degree courses, and to the TESDA for non-degree courses;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Special Committee on Scholarships is hereby abolished and its scholarship functions are hereby transferred to the DepEd for basic education, to the CHED for degree courses, and to the TESDA for non-degree courses.

SECTION 2. The DepEd, CHED and TESDA shall jointly issue the implementing rules and regulations of this Order.

SECTION 3. Personnel who may be affected by the abolition of the Special Committee on Scholarships shall have the option to remain in government service, if with permanent/temporary appointment attested by the Civil Service Commission, or to retire/be separated and paid benefits pursuant to existing laws.

SECTION 4. This Executive Order shall take effect immediately.

City of Manila, 24 January 2005.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 403
DECLARING AND DELINEATING THE CULION PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the port of Culion is one of the busiest port in the country particularly in northern Palawan most specifically in the Calamianes Group of Islands;

WHEREAS, there is an urgent need to accelerate the development of the national seaport of Culion situated in Barangay Balala, Culion, Palawan which will serve as hub of a sea borne commerce of trade in northern Palawan, gateway to other municipalities, cities, provinces and other countries and to accommodate projected increases in port traffic and program in the development of the port facilities to support the increasing demands of the shipping trade within the region;

NOW, THEREFORE, I GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the port of Culion in Barangay Balala, Municipality of Culion, Province of Palawan is hereby declared, expanded and delineated and particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 50.00 meters with bearing at North 22 degrees East, thence to point 3 at a distance of 150.00 meters with bearing at North 68 degrees West, thence to point 4 at a distance of 1,000.00 meters with bearing at North 22 degrees East, thence to point 5 at a distance of 393.86 meters with bearing at South 68 degrees East, thence to point 6 at a distance of 1,000.00 meters with bearing at South 22 degrees West, thence to point 7 at a distance of 150.00 meters with bearing at North 68 degrees West, thence to point 8 at a distance 54.73 meters with bearing at South 46 degrees West, thence to point 1 or the beginning at a distance of 71.60 meters with bearing at North 68 degrees West, all in all comprising a total area of 397,996.46 square meters more or less.”

SEC. 2. The Culion port as defined and delineated is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the government, implement a program in the proper zoning, planning, development and utilization of the port.

SEC. 3. All orders, proclamations and issuances or portions thereof, which are inconsistent with this Executive Order, are hereby amended, repealed or modified accordingly.

DONE in the City of Manila, this **24th** day of **January**, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 404
CREATING THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES
MONITORING COMMITTEE (GRP-MC) ON HUMAN RIGHTS
AND INTERNATIONAL HUMANITARIAN LAW

WHEREAS, the State recognizes that the attainment of a just, comprehensive and lasting peace under the rule of law and in accordance with Constitutional processes is the basic foundation of economic development and national prosperity;

WHEREAS, the Government implements a comprehensive peace process along the “Six Paths to Peace” that must be pursued simultaneously in a coordinated and integrated fashion, as provided for under Executive Order No. 3 issued on 28 February 2001;

WHEREAS, the “third path” to peace is the Government’s pursuit of a peaceful and negotiated settlement with the different rebel groups, including the Communist Party of the Philippines/New People’s Army/National Democratic Front (CPP/NPA/NDF);

WHEREAS, the Government recognizes that respect for human rights and international humanitarian law is of crucial importance and urgent necessity in laying the ground for a just and lasting peace;

WHEREAS, the parties signed the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) on 16 March 1998 in The Hague to guarantee the protection of human rights to all Filipinos under all circumstances by primarily addressing violations and abuses of human rights and the principles of international humanitarian law;

WHEREAS, Part V of the CARHRIHL provides for the formation of a Joint Monitoring Committee (JMC) that shall monitor the implementation of this Agreement;

WHEREAS, the parties signed the Operational Guidelines for the JMC on 14 February 2004 in Oslo which provided the manner by which to operationalize the JMC and monitor the implementation of and achieve the purposes of the CARHRIHL;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creating the Government of the Republic of the Philippines Monitoring Committee (GRP-MC) on Human Rights and International Humanitarian Law – There is hereby created the Government of the Republic of the Philippines Monitoring Committee (GRP-MC) on Human Rights and International Humanitarian Law which shall be composed of a Chairperson and two (2) Members, with two (2) Observers from human rights organizations, all of whom shall be designated by the GRP Panel in the peace negotiations with the CPP/NPA/NDF. The GRP-MC shall operate under the supervision of the GRP Panel, which shall also provide overall support in the management and operation of the GRP-MC.

SECTION 2. Powers and Functions – The GRP-MC shall have the following powers and functions:

- a. Represent the Government in the JMC under the CARHRIHL, and perform its functions, jointly with or separately from the National Democratic Front of the Philippines, in accordance with the CARHRIHL and the Operational Guidelines for the JMC, and with the Philippine Constitution, existing laws, and jurisprudence;
- b. Monitor the status of the implementation of the CARHRIHL by concerned units and agencies of the Government, and request the concerned agencies to address through appropriate actions the non-implementation or any violation of the Agreement;
- c. Work closely with the Commission on Human Rights (CHR) of the Philippines with regard to its constitutional mandate to investigate human rights violations and monitor the Governments' compliance with international treaty obligations on human rights. For this purpose, the GRP-MC shall provide CHR with regular updates concerning its work;
- d. Coordinate with concerned units and agencies of the Government, as well as civil society groups and other entities, for any assistance as may be necessary in the performance of its functions;
- e. Create, if necessary, local monitoring teams and other similar bodies throughout the country to provide assistance in the performance of its functions;
- f. Submit, as often as necessary, reports to the GRP Panel on the status of its work, including recommendations to address reported cases of violations of human rights and IHL principles;
- g. Provide regular updates to concerned units and agencies of the Government, as well as civil society groups and other entities, on the status of its work;
- h. Adopt the implementing rules and regulations for the conduct of its work; and
- i. Perform such other functions as may be assigned by the GRP Panel and necessary to ensure the effective and efficient monitoring of the implementation of the CARHRIHL.

SECTION 3. Support – All agencies of the Government are hereby directed to provide the necessary cooperation and support to the GRP-MC to ensure the timely and effective implementation of the provisions of the CARHRIHL.

SECTION 4. Secretariat and Office Space – The GRP Panel Secretariat, including representatives of concerned government agencies that may be designated by the GRP Panel, shall extend necessary technical and administrative support to the GRP-MC. The Office of the Presidential Adviser on the Peace Process (OPAPP) shall provide the GRP-MC with adequate office space and facilities.

SECTION 5. Funding – The Department of Budget and Management is hereby directed to release the amount of TEN MILLION PESOS (P10,000,000.00) from the President's Contingent Fund to initially cover the operational expenses of the GRP-MC and its Secretariat. The fund requirements of the GRP-MC and its Secretariat for the succeeding years shall be included in the OPAPP budget.

SECTION 6. Repealing Clause – All orders, rules, regulations and issuances, or parts thereof, which are inconsistent with the Executive Order, are hereby repealed or modified accordingly.

SECTION 7. Effectivity – This Executive Order shall take effect immediately upon its publication in a national newspaper of general circulation.

DONE in the City of Manila, this **24th** day of **January**, in the year of Our Lord, Two Thousand and **Five**.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 405

AMENDING EXECUTIVE ORDER NO. 254-A, SERIES OF 2004, WHICH AUTHORIZED THE FURTHER RELEASE OF FUNDS FROM THE NET GOVERNMENT SHARE FROM SERVICE CONTRACT NO. 38 OVER THE CAMAGO-MALAMPAYA NATURAL GAS RESERVOIR AS ASSISTANCE TO THE PROVINCE OF PALAWAN

WHEREAS, Executive Order No. 254, dated December 8, 2003, authorized the release of funds, from the net government share from Service Contract No. 38 over the Camago-Malampaya Natural Gas Reservoir as assistance to the Province of Palawan;

WHEREAS, Executive Order No. 254, as amended by Executive Order No. 254-A dated March 3, 2004, authorized the further release of funds from such service contract, for the construction of additional facilities for the Ospital ng Palawan Provincial Hospital and for the acquisition of land and development of the El Nido Municipal Airport, among others;

WHEREAS, the Province of Palawan will be better benefited if the Provincial Health Office is designated as beneficiary, instead of Ospital ng Palawan, which has been nationalized and placed under the supervision of the Department of Health, and further authorizing said office to acquire medical equipment;

WHEREAS, the funds allocated for the acquisition of land and development of the El Nido Municipal Airport would not be sufficient, and the concreting and installation of a drainage system of the Poblacion to Lio Airport road in the Municipality of El Nido is more feasible, to facilitate travel to existing infrastructure in said municipality, such as the diesel power plant and the airport, among others;

WHEREAS, the President may, under the Local Government Code, upon request of the local government unit concerned, direct the appropriate national agency to provide financial, technical, or other forms of assistance to the local government unit at no extra cost to the local government unit concerned;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Section 2(g) and 2(i) of Executive Order No. 254-A, series of 2004, is hereby amended to read as follows:

“Sec. 2.

- g. Ten Million Pesos (P10,000,000.00) for the construction of additional facilities and acquisition of additional medical equipment for the Provincial Health Office.*
- i. Forty Million Pesos (P40,000,000.00) for the concreting and installation of a drainage system of the Poblacion to Lio Airport road in the Municipality of El Nido.”*

Sec. 2. *Repealing Clause.* – All Executive Orders and other issuances or parts thereof inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

Sec. 3. *Effectivity Clause.* – This Executive Order shall take effect after publication in at least two (2) newspapers of general circulation.

DONE in the City of Manila, this 1st day of February, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). [*Executive Order Nos.: 401 - 500*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 406

CREATING A SPECIAL TASK FORCE TO ADDRESS THE HUMAN TRAFFICKING PROBLEMS
SPECIALLY THOSE INVOLVING FILIPINO ENTERTAINERS IN JAPAN AND VESTING
SUCH POWERS AND RESPONSIBILITIES APPURTENANT THERETO

WHEREAS, the Annual Report of the US State Department cited Japan as a destination for Asian women and children trafficked for forced labor and sexual exploitation;

WHEREAS, the Japanese Diet enacted Law 73 amending its Immigration Control Act to address the problem;

WHEREAS, Japan's new rules require entertainers to possess two (2) years relevant schooling or two (2) years experience as entertainers outside Japan;

WHEREAS, the new rules will affect thousands of Filipino entertainers and their families, jeopardizing their status, livelihood and economic survival;

WHEREAS, it is imperative that the Philippine Government takes positive actions to help fight the human trafficking problem to protect and safeguard the status of our legitimate Filipino entertainers;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987 and Presidential Decree No. 1416, as amended by Presidential Decree No. 1772, the President has the continuing authority to reorganize the administrative structure of the Executive Department for expediency and efficiency;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Sec. 1. *Creation and Function of a Special Task Force.* – There is hereby created a Special Task Force on Human Trafficking concerns to fight human trafficking and for the protection of our Filipino workers in Japan, attached to the Department of Labor and Employment hereinafter referred to as the “Task Force”. Its principal mission is to establish friendly and cordial relations through dialogues with Japanese authorities with respect to the status and welfare of Filipino entertainers in Japan affected by Japan's new Immigration Policy.

The Task Force shall focus on data gathering, investigation and analysis, and in formulating and developing programs, inputs, and systems to help achieve Philippine-Japan objectives in solving the human trafficking problem.

Sec. 2. The Special Task Force shall be under the supervision of the Secretary of the Department of Labor and Employment with members thereof drawn from the Department of Labor and Employment (DOLE), Department of Foreign Affairs (DFA), Department of Justice (DOJ), National Bureau of Investigation (NBI), Bureau of Immigration (BI), and a representative from the Industry to be designated for the purpose.

Sec. 3. *Oversight Committee.* – There is hereby created an Oversight Committee, chaired by the Secretary of Labor and Employment, to ensure the active participation and cooperation of government agencies and instrumentalities involved in the Human Trafficking Problem. The members of the

Committee shall be composed of the following: Secretary, Department of Foreign Affairs; Secretary, Department of Justice; Director, National Bureau of Investigation; and Commissioner, Bureau of Immigration.

Sec. 4. Assistance and Cooperation. – In addition to the abovementioned agencies, all other government agencies are hereby directed to actively cooperate with and support the anti-trafficking campaign.

Sec. 5. Funding. – There is hereby appropriated out of the Special Activities fund, the amount of Two Million Pesos for the initial operation of the Task Force.

Sec. 6. Implementation. – This Executive Order shall be self-implementing and no additional rules and regulations shall be necessary to commence implementation.

Sec. 7. Repeal. – All orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

Sec. 8. Effectivity. – This Executive Order shall take effect immediately upon approval.

Done in the City of Manila, this 8th of February, in the year of our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 407
DESIGNATING THE CHIEF PRESIDENTIAL LEGAL COUNSEL
AS ANTI-CORRUPTION SWIFT ACTION TEAM (SWAT) LEADER

WHEREAS, to achieve urgent change, the Macapagal-Arroyo administration shall improve tax collection, pass a budget that shall support the administration's 10-point plan and pro-poor agenda, and take executive action to break the culture of corruption;

WHEREAS, to create more jobs and bring greater prosperity to the Filipino people, it is imperative to stop the culture of corruption that holds back the country's pace of development;

WHEREAS, Executive Authority shall be exerted to prosecute illegal loggers, cancel government contracts with corrupt companies, fire unscrupulous government officials who rob the nation, and restore integrity to the military leaders and soldiers of the nation who put their lives at risk and defend the honor of the nation;

WHEREAS, Congress, the private sector, and civic leaders shall be called on to join in the aforesaid effort;

WHEREAS, the structure needed for results is a campaign model;

WHEREAS, to put the structure to work, a Swift Action Team (SwAT) shall be put in place for each of the key issues: Economy, 10 Point Agenda, Anti-Corruption;

WHEREAS, each SwAT shall have a Team Leader;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Designation of Anti-Corruption SwAT Leader. – In addition to the functions under Memorandum Order No. 152 (2004), the Chief Presidential Legal Counsel is hereby designated as Anti-Corruption SwAT Leader.

SECTION 2. Powers and Functions. – The Anti-Corruption SwAT Leader is mandated to discharge the following powers and functions:

- a. Organize the Anti-Corruption Swift Action Team (SwAT);
- b. Work together with the Team to get anti-corruption issues on the President's schedule and/or move forward self-sustaining events;
- c. Lead a results-oriented, communications-driven schedule for each 90-day period starting from the date of effectivity of this Executive Order; and
- d. Perform such other functions necessary for the effective discharge of this mandate in accordance with law and as may be directed by the President.

SECTION 3. Assistance from Other Government Entities. All departments, bureaus, agencies and instrumentalities of the government are hereby directed/urged to provide full assistance and support to the Anti-Corruption SwAT and its leader.

SECTION 4. The Department of Budget and Management shall determine the funding for the implementation of this Executive Order.

SECTION 5. All orders, rules and regulations, and issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 6. Effectivity. This Executive Order shall take effect immediately.

DONE, in the City of Manila, this 24th day of February, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 408
ABOLISHING THE OFFICE OF THE PRESIDENTIAL ADVISER FOR JOBS
GENERATION AND TRANSFERRING ITS OVERSIGHT FUNCTIONS
TO THE PRESIDENTIAL MANAGEMENT STAFF

WHEREAS, the government has committed itself, as embodied in the President's 10-point Legacy Program, to create six (6) to ten (10) million jobs and to develop one (1) to (2) million hectares of agri-business lands;

WHEREAS, the Office of the Presidential Adviser for Jobs Generation was created pursuant to Executive Order No. 333 dated 19 July 2004 to coordinate the effective and timely implementation of the Government's Roadmap for Jobs Generation;

WHEREAS, various government departments, agencies, bureaus, including government-owned and controlled corporations (GOCCs) and government financial institutions (GFIs) are involved in the actual implementation of the said Roadmap;

WHEREAS, there is a need to coordinate the effective and timely implementation of the Government's Roadmap for Jobs Generation;

WHEREAS, pursuant to the streamlining policy of the government, the Presidential Management Staff, as the agency mandated to provide staff assistance to the President in the overall management of the development process, can adequately monitor and coordinate the activities of the Government's Roadmap for Jobs Generation;

WHEREAS, EO 292 s. 1987 vests in the President the continuing authority to reorganize his/her office in order to achieve simplicity, economy and efficiency;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Abolition of the Office of the Presidential Adviser for Jobs Generation (OPAJG). The OPAJG is hereby abolished and its oversight functions are hereby transferred to the Presidential Management Staff.

SECTION 2. Authorities and Responsibilities of the Presidential Management Staff (PMS). The PMS is hereby directed to oversee and coordinate the implementation of the Government's Roadmap for Jobs Generation. In the exercise of this function, the PMS shall review and assess the government's existing programs, policies and projects towards the realization of the government's commitment to create six (6) to ten (10) million jobs until 2010.

The OPAJG is also directed to transfer to the PMS all its resources, materials, and other necessary documents pertinent to the government's jobs generation program.

SECTION 3. Assistance of All Government Offices. All other departments, agencies, bureaus, and offices, including GOCCs and GFIs are enjoined to render full assistance to the PMS and to provide such information as may be required to carry out the government's jobs generation program.

SECTION 4. Repealing Clause. All orders, issuances or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 5. Separability Clause. If any provision of this Executive Order is held invalid, the other provisions not affected thereby shall continue in operation.

SECTION 6. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of March, in the year of our Lord, two thousand and five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 409
REORGANIZING THE GOVERNING BOARD OF THE
NATURAL RESOURCES DEVELOPMENT CORPORATION

WHEREAS, the Natural Resources Development Corporation [NRDC] was created under Executive Order No. 786 (s. 1982), an agency attached to the Ministry of Natural Resources (now Department of Environment and Natural Resources) to hasten the development and use of technologies and systems that complement the utilization of natural resources;

WHEREAS, in order to effectively oversee and implement the attainment of productive utilization of resources through the use of new systems and technologies, there is a need to reorganize the governing board of NRDC;

WHEREAS, the President has the continuing authority to reorganize the National Government pursuant to existing laws;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Reorganization of the Governing Board.* The composition of the Board of Directors of the Natural Resources Development Corporation [NRDC] is hereby increased from seven (7) to eight (8) members. The additional member shall be appointed by the President of the Philippines, and shall be the Chairman of the Board of Directors. The Secretary of the Department of Environment and Natural Resources shall remain an ex-officio member of the Governing Board.

SECTION 2. *Repealing Clause.* All executive issuances, rules and regulations or parts thereof which are inconsistent with this Executive Order are hereby revoked, amended, or modified accordingly.

SECTION 3. *Effectivity.* This Executive Order shall take effect immediately.

City of Manila, MAR 07 2005

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 410
DECLARING AND DELINEATING THE LUBANG ISLAND PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the Port of Lubang Island, Barangay Tilik, Municipality of Lubang, Occidental Mindoro serves as the primary link of trade and commerce, and of the people of Lubang Island, comprised of the municipalities of Lubang and Looc, to mainland Luzon, Mindoro and Palawan;

WHEREAS, the port is vital to the socio-economic development of the two island municipalities in Lubang Island in particular and of the province in general;

WHEREAS, there is a need to expand the Port of Lubang Island for planning purposes to accommodate projected increases in port traffic and to program the development of the necessary port facilities to support the demands of the shipping trade within the region.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines by virtue of the power vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the Port of Lubang Island, Barangay Tilik, Municipality of Lubang, Occidental Mindoro is hereby delineated and established and particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 53.76m. with bearing N 65° 31' W, thence to point 3 at a distance of 70.89m. with bearing N 54° 59' W, thence to point 4 at a distance of 55.38m. with bearing N 35° 54' W, thence to point 5 at a distance of 64.44m. with bearing N 22° 49' W, thence to point 6 at a distance of 35.15m. with bearing N 49° 58' W, thence to point 7 at a distance of 66.01m. with bearing N 31° 12' W, thence to point 8 at a distance of 58.22m. with bearing N 19° 17' W, thence to point 9 at a distance of 106.68m. with bearing N 07° 15' W, thence to point 10 at a distance of 76.95m. with bearing N 12° 13' E, thence to point 11 at a distance of 40.89m. with bearing N 17° 11' E, thence to point 12 at a distance of 20.86m. with bearing N 73° 13' E, thence to point 13 at a distance of 19.29m. with bearing N 07° 41' E, thence to point 14 at a distance of 15.14m. with bearing N 71° 04' E, thence to point 15 at a distance of 28.99m. with bearing N 34° 10' E, thence to point 16 at a distance of 26.13m. with bearing N 08° 02' E, thence to point 17 at a distance of 17.31m. with bearing N 89° 14' E, thence to point 18 at a distance of 13.02m. with bearing N 07° 54' E, thence to point 19 at a distance of 18.57m. with bearing N 17° 49' W, thence to point 20 at a distance of 36.15m. with bearing N 03° 55' E, thence to point 21 at a

distance of 41.79m. with bearing N 16° 27' E, thence to point 22 at a distance of 27.24m. with bearing N 42° 44' W, thence to point 23 at a distance of 27.14m. with bearing N 35° 19' W, thence to point 24 at a distance of 115.06m. with bearing N 27° 39' W, thence to point 25 at a distance of 19.55m. with bearing N 42° 08' W, thence to point 26 at a distance of 61.71m. with bearing N 28° 27' W, thence to point 27 at a distance of 126.16m. with bearing N 34° 28' W, thence to point 28 at a distance of 175.36m. with bearing N 48° 23' W, thence to point 29 at a distance of 170.35m. with bearing N 49° 24' W, thence to point 30 at a distance of 54.62m. with bearing N 48° 34' W, thence to point 31 at a distance of 113.77m. with bearing N 39° 37' W, thence to point 32 at a distance of 15,000m. with bearing N 33° 37' E, thence to point 33 at a distance of 1,553.47m. with bearing S 27° 39' E, thence to point 1, the point of the beginning at a distance of 15,000.00m. with bearing S 33° 37' W, the total area comprising of 20,337,876.87 square meter more or less.

SEC. 2. The Lubang Island Port Zone, as delineated and established, is hereby placed under the administration of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning, development and utilization of the port.

SEC. 3. All other orders, proclamations and issuances or portions thereof, which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SEC. 4. This Order shall take effect immediately.

DONE in the City of Manila, this 7th day of March, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 411
DECLARING AND DELINEATING THE MANSALAY PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the Port of Mansalay, Oriental Mindoro plays a major role in the Strong Republic Nautical Highway (SRNH) being identified as one of the major routes;

WHEREAS, there is a need to delineate the Port of Mansalay to accommodate future development of the port that will be necessitated once traffic from the SRNH increases and so with the demands of the shipping trade within the region;

WHEREAS, the proposed port zone delineation for the Port of Mansalay was favorably endorsed by the Regional Development Council (RDC IV-B [MIMAROPA]) through Resolution No. 08-037-2004 on October 08, 2004.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the Port of Mansalay, Oriental Mindoro is hereby delineated and established and particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 137.57m. with bearing S 68° 11' E, thence to point 3 at a distance of 100.00m. with bearing S 40° 51' E, thence to point 4 at a distance of 491.05m. with bearing S 27° 38' W, thence to point 5 at a distance of 339.74m. with bearing N 65° 52' W, thence to point 6 at a distance of 500m. with bearing N 25° 10' E, thence to point 1, the point of beginning at a distance of 135.35m with bearing S 77° 22' E, the total area comprising of 182,135 square meter more or less.”

SEC. 2. The Mansalay Port Zone, as delineated and established, is hereby placed under the administration of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning, development and utilization of the port.

SEC. 3. All orders, proclamations and issuances or portions thereof, which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SEC. 4. This Order shall take effect immediately.

DONE in the City of Manila, this 7th day March, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 412
DECLARING AND DELINEATING THE EL NIDO PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the port of El Nido is one of the busiest ports in the country more particularly in the northwestern areas of Palawan;

WHEREAS, there is an urgent need to accelerate the development of the existing seaport of El Nido in Barangay Buena Suerte, Municipality of El Nido, Palawan to serve as a hub of seaborne commerce and trade in northern Palawan, and a gateway to other municipalities, cities, provinces and other countries;

WHEREAS, the development of the existing seaport of El Nido is necessary in order to accommodate projected increases in port traffic and program the development of the port facilities to support the increasing demands of the shipping trade within the region.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the port of El Nido situated in Barangay Buena Suerte, Municipality of El Nido, Province of Palawan is hereby declared, expanded, and delineated particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 57.40 meters with bearing at South 10 degrees West, thence to point 3 at a distance of 6.62 meters with a bearing at North 80 degrees West, thence to point 4 at a distance of 27.30 meters with bearing at North 10 degrees East, thence to point 5 at a distance of 82.50 meters with bearing at North 80 degrees West, thence to point 6 at a distance of 500.00 meters with bearing at North 10 degrees East, thence to point 7 at a distance of 189.10 meters with bearing at South 80 degrees East, thence to point 8 at a distance of 384.00 meters with bearing at South 10 degrees West, thence to point 9 at a distance of 122.00 meters with bearing at South 45 degrees West, thence to point 1 or the beginning at a distance of 33.00 meters with bearing at North 60 degrees West, all in all comprising a total area of 89,618.83 square meters more or less.”

SECTION 2. The El Nido port as defined, expanded and delineated is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the government, implement a program in the proper zoning planning, development and utilization of the port.

SECTION 3. All orders, proclamations and issuances or portions thereof, which are inconsistent with this Executive Order are hereby amended, repealed or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 7th day of March, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 413
DECLARING AND DELINEATING THE NICANOR ZABALA PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINES PORTS AUTHORITY

WHEREAS, the port of Roxas is one of the busiest ports in the country more particularly in the province of Palawan;

WHEREAS, there is an urgent need to accelerate the development of a seaport in Sitio Inindianan, Barangay Nicanor Zabala, Roxas, Palawan which will serve as a hub of a sea borne commerce and trade in Northern Palawan, the gateway to other municipalities, cities, provinces and other countries and to accommodate projected increases in port traffic and program the development of the port facilities to support the increasing demands of the shipping trade within the region;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the Port of Nicanor Zabala in Sitio Inindian, Barangay Nicanor Zabala, Municipality of Roxas, Province of Palawan is hereby expanded and particularly described as follows:

“Beginning at point marked 1 on the plan, thence point 2 at a distance of 200.00 meters with bearing due East, thence to point 3 at a distance of 3,562.56 meters with bearing N 64 deg. 00' E, thence to point 4 at a distance of 2,500.00 meters with bearing at due East, thence to point 5 at a distance of 6,650.00 meters with bearing at due North, thence to point 6 at a distance of 2,500.00 meters with bearing at due West, thence to point 7 at a distance of 5,573.82 meters with bearing N 35 deg. 00 West, thence to point 8 at a distance of 200.00 meters with bearing at due West, thence to point 1 or the beginning at a distance of 500 meters with bearing at due North, all in all comprising a total area of 28,180,803.35 square meters more or less.”

SEC. 2. The Nicanor Zabala Port Zone as defined and delineated is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall consistent with the regional industrial plans of the government, implement a program in the proper zoning, planning, development and utilization of the port.

SEC. 3. All orders, proclamations and issuances or portions thereof, which are inconsistent with this Executive Order, are hereby amended, repealed or modified accordingly.

SEC. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 7th day of March, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 414
DECLARING AND DELINEATING THE CALATAGAN PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the Port of Calatagan, Municipality of Batangas is being developed as a Roll-on/Roll-off terminal to complement Tilik Port in Lubang Island, Occidental Mindoro;

WHEREAS, the development of the said partner ports will promote rapid development of the areas concerned through improved trade, commerce and tourism activities;

WHEREAS, the port zone delineation, which has a total area of 289,371.64 square meters, is necessary to establish the territorial jurisdiction of the Calatagan Port for its proposed development;

WHEREAS, the Sectoral Committee on Infrastructure Development (SCID) has approved and endorsed the project on 27 April 2004 through SCID Resolution No. IV-A-04-2004.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the Port of Calatagan, Municipality of Batangas is hereby delineated and established and particularly described as follows:

“Beginning at the Tie Line form BLLM #1, Mp. Calatagan, Batangas to cor. “1” at a distance of 1,250.09m. with bearing S 22° 18' W thence to point 2 at a distance of 18.63m. with bearing S 30° 37' E, thence to point 3 at a distance of 38.79m. with bearing S 17° 15' E, thence to point 4 at a distance of 50.00m. with bearing S 46° 57' E, thence to point 5 at a distance of 1,000.00m. with bearing S 43° 03' W, thence to point 6 at a distance of 305.90m. with bearing N 32° 03' W, thence to point 7 at a distance of 982.55m. with bearing N 43° 03' E, thence to point 8 at a distance of 42.17m. with bearing S 50° 13' E, thence to point, thence to point 1, the point of the beginning at a distance of 156.90m. with bearing S 32° 30' E, the total area comprising of 289,371.64 sq. meter more or less.”

SEC. 2. The Calatagan Port Zone, as delineated and established, is hereby placed under the administration of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning, development and utilization of the port.

SEC. 3. All orders, proclamations and issuances or portions thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 7th day of March, in the year of Our Lord, Two Thousand Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 415
PROVIDING FOR THE ABOLITION OF THE NATIONAL AMNESTY COMMISSION

WHEREAS, the National Amnesty Commission (“NAC”), created under Proclamation No. 347, dated 25 March 1994, to receive and process applications for amnesty of former rebels and determine whether the applicants are entitled to amnesty under said Proclamation, and has to date received almost 25,000 amnesty applications and granted amnesty to more than 20,000 former rebels;

WHEREAS, the period within which to file applications for amnesty before the NAC, as last provided by Proclamation No. 21 dated 23 September 1998 and Proclamation No. 390 dated 29 September 2000, expired last 24 March 2000 and 07 October 2001, respectively;

WHEREAS, the NAC has since completed processing the foregoing amnesty applications and determined the entitlement to amnesty of the applicants therein under the respective amnesty laws;

WHEREAS, the NAC has formalized agreements with the Department of Interior and Local Government, as well as with several local government units across the country, to secure greater and continuing access to livelihood, education and health programs for amnesty grantees;

WHEREAS, Section 4 of Proclamation No. 347 provides that the term of the commission shall expire upon the completion of its assigned tasks as may be determined by the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The term of the NAC, created under Proclamation No. 347 is hereby deemed expired in view of the completion of its assigned tasks as provided by Section 4 thereof, and the NAC is hereby abolished. The NAC shall thereby wind-up its operations within sixty (60) days from the issuance of this Executive Order. All employees of the NAC shall thereby be entitled to separation pay in accordance with Executive Order No. 366 (s. 2004) and related laws, in addition to all other gratuities and benefits that they may be entitled to under the law.

SECTION 2. All assets, liabilities, choses in action, equipment, facilities, funds, records and other properties of the NAC are hereby transferred to the Office of the Presidential Adviser on the Peace Process (“OPAPP”). The residual rights, powers and authority of the NAC, including those provided for under Proclamation No. 426 (s. 2000), are likewise transferred to the OPAPP. The OPAPP shall have the power to promulgate the necessary rules and regulations for the proper implementation of said Proclamation.

SECTION 3. This Order shall take effect immediately upon approval.

DONE in the City of Manila, this 22nd day of March, in the year of Our Lord, Two Thousand Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 416
DECLARING AND DELINEATING THE MALAMPAYA (PANGULATAN) PORT ZONE UNDER
THE ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the port of Liminangcong is one of the busiest port in the country particularly at the northwestern areas of the province of Palawan which includes Malampaya Sound, the fish bowl of the Philippines and other related areas;

WHEREAS, there is an urgent need to accelerate the development of a seaport in Sitio Pangulatan, Barangay Liminangcong, Municipality of Taytay, Palawan which will serve as a hub of a sea borne commerce and trade in northern Palawan, the gateway to other municipalities, cities, provinces and other countries and to accommodate projected increases in port traffic and program the development of the port facilities to support the increasing demands of the shipping trade within the region;

WHEREAS, the existing port of Liminangcong has a very narrow maneuvering and anchorage areas for calling vessels and cannot accommodate bigger, longer and deeper drafted vessels which may call in the area, and its back up areas are surrounded and occupied by unaccounted informal settlers hence, there is a need to have an alternative site for port of Liminangcong to be developed;

WHEREAS, the areas in Sitio Pangulatan in Barangay Liminangcong, Taytay, Palawan, a three (3) kilometer distance from the existing port of Liminangcong is an ideal area to be developed and to be constructed with bigger port facilities as it has a naturally all weather protected harbor, deeper entrance and exit channel, has an existing access road leading to the other municipalities and deeper draft to accommodate bigger and luxury liner vessels;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the port of Malampaya in Sitio Pangulatan, Liminangcong, Taytay, Palawan is hereby defined, declared and delineated and particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 2,450.00 meters with bearing at North 45 degrees West, thence to point 3 at a distance of 850.00 meters with bearing at North 45 degrees East, thence to point 4 at a distance of 5,300 meters with bearing at South 45 degrees East, thence to point 5 at a distance of 850 meters with bearing at South 45 degrees West, thence to point 6 at a distance of 2,650.00 meters with bearing at North 45 degrees West, thence to point 7 at a distance of 450.00 meters with bearing at South 45 degrees West, thence to point 8 with a distance of 200 meters with bearing at North 45 degrees West, thence to point 1 or the beginning at a distance of 450 meters with bearing at North 45 degrees East, all in all comprising a total area of 4,595,000 square meters more or less”.

SECTION 2. The Malampaya Port Zone as defined is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the government, implement a program in the proper zoning, planning development and utilization of the port.

SECTION 3. All other orders, proclamations and issuances or portions thereof which are inconsistent with this Executive Order are hereby amended, repealed or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 22nd day of March, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 417
DIRECTING THE IMPLEMENTATION OF THE ECONOMIC INDEPENDENCE PROGRAM
FOR PERSONS WITH DISABILITIES (PWDs)

WHEREAS, it is a policy of the State under the 1987 Constitution of the Philippines to protect the rights of persons with disabilities (PWDs) and promote their welfare and development;

WHEREAS, Republic Act No. 7277, otherwise known as the Magna Carta for Disabled Persons, also affirms and mandates the rehabilitation, self-development and self-reliance, and integration of PWDs into the mainstream society;

WHEREAS, the General Appropriations Act explicitly provides funding mechanisms for programs and projects of PWDs and their organizations from at least one percent (1%) of the total yearly budget of all National Government Agencies and instrumentalities including Government Financial Institutions and Government owned and controlled corporations;

WHEREAS, Proclamation No. 240 on the Philippine Decade of Disabled Persons 2003-2012 further instructs all Heads of Departments, Chiefs of Bureaus, Offices, Agencies and Instrumentalities of the National Government, Local Government Units to implement plans, programs and activities geared towards the development of PWDs;

WHEREAS, the National Anti-Poverty Action Program and the Administration's 10-Point Legacy Agenda target the delivery of services to and the development of the marginalized basic sectors, such as PWDs;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Implementation of the Economic Independence Program for Persons with Disabilities.*--All national government agencies including government owned and controlled corporations are enjoined to support and cooperate in the implementation of the Economic Independence Program for PWDs.

SECTION 2. *Enhancement of the Social and Vocational Skills Capabilities of PWDs.*-- In order to develop and enhance the social and vocational skills capacities of PWDs:

1. The Department of Social Welfare and Development (DSWD) shall develop and implement a national social preparation program that will deal on moral values and work ethics of entrepreneurs with disabilities;
2. The Department of Education (DepEd), Commission on Higher Education (CHED) and the Technical Education and Skills Development Authority (TESDA) shall continually develop a system of equivalency to ensure PWDs' access to employment and entrepreneurship;
3. The TESDA shall develop and implement relevant unified training programs, basic organizational and entrepreneurial skills that eventually make PWDs self-reliant and not a burden to society;

4. The Cooperative Development Authority (CDA) shall develop and implement programs to promote coop organizing and development among PWDs.

SECTION 3. *Markets for Products and Services of Cooperatives of PWDs and other Organizations of PWDs Engaged in Livelihood.*--- In order to ensure markets for products and services of PWDs, their cooperatives and other organizations engaged in business:

1. All Government Agencies, Bureaus, Offices, Instrumentalities, State Universities and Colleges, Government Financial Institutions and Government-Owned and Controlled Corporations shall employ PWDs whenever applicable. Local Government Units are also enjoined to employ PWDs whenever applicable.
2. The same are to avail of the services of cooperatives of PWDs and organizations of PWDs by procuring at least 10% of their requirements of goods and services, where possible and applicable. All local Government Units are also enjoined to do the same.
3. The Department of Trade and Industry (DTI), together with the Department of Labor and Employment (DOLE), shall develop and implement marketing promotion and product development and to come up with a database of PWD organizations and a directory of PWD products and services. All government offices, national and local, are also herewith enjoined to reserve a display space for PWD products and services in their respective offices upon request and where appropriate.
4. The Philippine Information Agency shall create promotional programs on the positive image of PWDs focusing on the ability and not on the disability.

SECTION 4. *Accessible Work Centers.*--- In order to provide accessible work centers with adequate equipment in strategic areas especially near export processing zones or economic zone areas for viable endeavors by PWDs:

1. The Department of Public Works and Highways (DPWH) and the Housing and Urban Development Coordinating Council (HUDCC) shall conduct an inventory of unused government buildings for free temporary usage as work centers for PWDs.
2. The DSWD shall facilitate post-identification activities, including assisting PWD organizations to source equipment and other operational assistance. It shall also enhance the implementation of its existing social and vocational rehabilitation training centers and sheltered workshops.

SECTION 5. *Capital for Livelihood Programs.*--- To ensure continuous source of capital for livelihood programs for PWDs:

1. The Development Bank of the Philippines, Land Bank of the Philippines, People's Credit and Finance Corporation (PCFC), Quedancor, National Livelihood Support Fund shall make available funds for the credit requirements of eligible PWD cooperatives and organizations, as well as develop other financial services where viable.
2. The PCFC shall enjoin its affiliated microfinance institutions to open programs for PWD entrepreneurs and promote the development of microfinance schemes designed for PWD micro-enterprises.

SECTION 6. *Implementing Rules and Regulations, Guidelines, Financial and Work Plans*,--- To ensure effective implementation of the Program:

1. The National Anti-Poverty Commission (NAPC) shall be the lead agency to formulate the Implementing Rules and Regulations of this Executive Order in consultation with stakeholders and which shall be prepared within sixty (60) days from the approval of this Order.
2. Concerned agencies shall formulate their respective guidelines and shall include in their annual work and financial plans, programs, activities, and plans in compliance with this Executive Order and its implementing rules and regulations as may hereinafter be issued.
3. NAPC shall exercise regular policy oversight functions in the implementation of this Executive Order

SECTION 7. *Reporting*. ---To ensure periodic reporting on the development and implementation of economic development programs for PWDs:

1. Concerned government agencies shall submit, at least on a semi-annual basis, reports on the implementation of Economic Independence Program for PWDs to the NAPC and the National Council for the Welfare of Disabled Persons.

SECTION 8. *Effectivity*. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 22nd day of March, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). [*Executive Order Nos.: 401 - 500*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 418

**MODIFYING THE TARIFF NOMENCLATURE AND RATES OF IMPORT DUTY ON USED
MOTOR VEHICLES UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978
(PRESIDENTIAL DECREE NO. 1464, AS AMENDED)**

WHEREAS, it is the policy of the State to maintain a balance between development and environmental protection, and hence, between motorization and air quality management;

WHEREAS, it is the policy of the State to protect the public against unreasonable risks to injury associated with consumer products;

WHEREAS, there is a need to mitigate the impact of used motor vehicle trading on air quality and road safety;

WHEREAS, Article II:1(b) of the 1994 General Agreement on Tariffs and Trade allows the unilateral imposition of other duties and charges on tariff items that were not previously the subject of concession;

WHEREAS, motor vehicles were not covered by Schedule LXXV – Philippine Schedule of Concessions and therefore, do not have tariff bindings;

WHEREAS, Section 401 of the Tariff and Customs Code of 1978, as amended, empowers the President of the Republic of the Philippines to increase, reduce, or remove existing rates of import duty, as well as to modify the form of duty and the tariff nomenclature under Section 104 of the Code;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the rates of import duty indicated opposite each article, except for trucks, buses and special purpose vehicles.

SEC. 2. In addition to the regular rates of import duty, the articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to additional specific duty of PhP500,000.00.

SEC. 3. The amount of specific duty will be indexed by the Secretary of Finance once every two (2) years if the change in the exchange rate of the Philippine peso against the United States (U.S.) dollar is more than ten percent (10%) from the date of the effectivity of this Order, in the case of initial adjustment and from the last revision date in the case of subsequent adjustments.

In case the change in the exchange rate of the Philippine peso against the US dollar is more than twenty percent (20%) at any time within the two-year period referred to above, the Secretary of Finance shall index the amount by the full rate of depreciation or appreciation, as the case may be.

SEC. 4. The following motor vehicles shall be considered “used” and shall be subject to the duties herein prescribed: (a) all motor vehicles that have been sold, registered and operated in the roads/highways of any foreign state or country; or (b) all imported motor vehicles that has a mileage of more than 200 kilometers regardless of year model.

SEC. 5. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annex, which are entered and withdrawn from warehouses in the Philippines, shall be levied the rates of import and specific duties herein prescribed.

SEC. 6. All Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SEC. 7. This Executive Order shall take effect thirty (30) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 4th day of April, in the year of our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 419

TEMPORARILY INCREASING THE RATES OF IMPORT DUTY OF HIGH ENGINE
DISPLACEMENT COMPLETELY BUILT UP VEHICLES UNDER SECTION 104 OF THE TARIFF
AND CUSTOMS CODE OF 1978 (PRESIDENTIAL DECREE NO. 1464), AS AMENDED

WHEREAS, it is a declared policy of the government to promote the judicious conservation and efficient utilization of energy resources thereby adopting the most cost-effective options toward the wiser and efficient use of energy;

WHEREAS, the transport sector is one of the highest energy-consuming sector next to the industrial manufacturing sector;

WHEREAS, Republic Act No. 8749 otherwise known as the Philippine Clean Air Act of 1999 was promulgated to promote and protect the environment including its air sheds against pollution from mobile sources, among others;

WHEREAS, Section 401 of the Tariff and Customs Code of 1978, as amended, empowers the President of the Republic of the Philippines, to increase, reduce or remove existing rates of import duty, as well as, to modify the tariff nomenclature.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be imposed the Most Favored Nation (MFN) rates of import duty in accordance with the schedule indicated opposite each article.

SEC. 2. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annex “A” which are entered and withdrawn from warehouses in the Philippines for consumption, shall be levied the MFN rates of duty herein prescribed.

SEC. 3. Registered participants under Executive Order No. 244 as amended by Executive Order No. 312, otherwise known as the “Automotive Export Program,” are exempted from this Executive Order.

SEC. 4. All Presidential issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

SEC. 5. This Executive Order shall be effective for a period of one (1) year subject to review.

SEC. 6. This Executive Order shall take effect thirty (30) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, Philippines, this 4th day of April, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Reference: Annex “A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 420

REQUIRING ALL GOVERNMENT AGENCIES AND GOVERNMENT OWNED AND CONTROLLED CORPORATIONS TO STREAMLINE AND HARMONIZE THEIR IDENTIFICATION (ID) SYSTEMS, AND AUTHORIZING FOR SUCH PURPOSE THE DIRECTOR-GENERAL, NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY TO IMPLEMENT SAME, AND FOR OTHER PURPOSES

WHEREAS, good governance is a major thrust of this Administration;

WHEREAS, the existing multiple identification systems in government have created unnecessary and costly redundancies and higher costs and to government, while making it inconvenient for individuals to be holding several identification cards;

WHEREAS, there is urgent need to streamline and integrate the processes and issuance of identification cards in government to reduce costs and to provide greater convenience for those transacting business with government;

WHEREAS, a unified identification system will facilitate private businesses, enhance the integrity and reliability of government-issued identification cards in private transactions, and prevent violations of laws involving false names and identities.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby direct the following:

Section 1. *Adoption of a unified multi-purpose identification (ID) system for government.* – All government agencies, including government-owned and controlled corporations, are hereby directed to adopt a unified multi-purpose ID system to ensure the attainment of the following objectives:

- a. To reduce costs and thereby lessen the financial burden on both the government and the public brought about by the use of multiple ID cards and the maintenance of redundant database containing the same or related information.
- b. To ensure greater convenience for those transacting business with the government and those availing of government services;
- c. To facilitate private businesses and promote the wider use of the unified ID card as provided under this executive order;
- d. To enhance the integrity and reliability of government-issued ID cards; and
- e. To facilitate access to and delivery of quality and effective government service.

Section 2. *Coverage.* – All government agencies and government-owned and controlled corporations issuing ID cards to their members or constituents shall be covered by this executive order.

Section 3. *Data Requirement for the Unified ID System.* – The data to be collected and recorded by the participating agencies shall be limited to the following:

Name
Home Address
Sex
Picture
Signature
Date of Birth
Place of Birth
Marital Status
Names of Parents
Height
Weight
Two index fingers and two thumbmarks
Any prominent distinguishing features like moles and others
Tax Identification Number (TIN)

Provided that a corresponding ID number issued by the participating agency and a common reference number shall form part of the stored ID data and, together with at least the first five items listed above, including the print of the right thumbmark, or any of the fingerprints as collected and stores, shall appear on the face in back of the ID card for visual verification purposes.

Section 4. *Authorizing the Director-General, National Economic and Development Authority to Harmonize All Government Identification Systems.* – The Director-General, National Economic and Development Authority, is hereby authorized to streamline and harmonize all government ID systems.

Section 5. *Functions and responsibilities of the Director-General, National Economic and Development Authority.* – In addition to his organic functions and responsibilities, the Director-General, National Economic and Development Authority, shall have the following functions and responsibilities:

- a. Adopt within (60) days from the effectivity of this executive order a unified government ID system containing only such data and features, as indicated in Section 3 above, to validly establish the identity of the card holder;
- b. Enter into agreements with local governments, through their respective leagues of governors or mayors, the Commission on Elections (COMELEC), and with other branches or instrumentalities of the government, for the purpose of ensuring government-wide adoption of and support to this effort to streamline the ID systems in government;
- c. Call on any other government agency or institution, or create sub-committees or technical working groups, to provide such assistance as may be necessary or required for the effective performance of its functions; and
- d. Promulgate such rules or regulations as may be necessary in pursuance of the objectives of this executive order.

Section 6. *Safeguards.* – The Director-General, National Economic and Development Authority, and the pertinent agencies shall adopt such safeguards as may be necessary and adequate to ensure the right to privacy of an individual takes precedence over efficient public service delivery. Such safeguards shall, as minimum, include the following:

-
- a. The data to be recorded and stored, which shall be used only for purposes of establishing the identity of a person, shall be limited to those specified in Section 3 of this executive order;
 - b. In no case shall the collection or compilation of other data in violation of a person's right to privacy shall be allowed or tolerated under this order;
 - c. Stringent systems of access control to data in the identification system shall be instituted;
 - d. Data collected and stored for this purpose shall be kept and treated as strictly confidential and a personal or written authorization of the Owner shall be required for the access and disclosure of data;
 - e. The identification card to be issued shall be protected by advanced security features and cryptographic technology; and
 - f. A written request by the Owner of the identification card shall be required for any correction or revision of relevant data, or under such conditions as the participating agency issuing the identification card shall prescribe.

Section 7. *Funding.* – Such funds as may be recommended by the Department of Budget and Management shall be provided to carry out the objectives of this Executive Order.

Section 8. *Repealing Clause.* – All executive orders or issuances, or portions thereof, which are inconsistent with this executive order, are hereby revoked, amended or modified accordingly.

Section 9. *Effectivity.* – This Executive Order shall take effect (15) days after its publication in two (2) newspapers of general circulation.

DONE in the City of Manila, this **13th** day of **April**, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

BY THE PRESIDENT

(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). [*Executive Order Nos.: 401 - 500*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 421

**IMPLEMENTING THE REFOCUSING OF FUNCTIONS AND ORGANIZATIONAL STRUCTURE
OF THE LOCAL WATER UTILITIES ADMINISTRATION UNDER EO 279 AND PROVIDING
OPTIONS AND BENEFITS FOR EMPLOYEES WHO MAY BE AFFECTED THEREON**

WHEREAS, it is the policy of government to adopt institutional reforms and effect functional, operational and organizational adjustments in the bureaucracy to continuously improve the quality and efficiency of public service delivery and transform it into an efficient and results-oriented structure;

WHEREAS, Executive Order (EO) No. 279 provides for the rationalization of LWUA's organizational structure and refocusing its objectives to fully implement the reforms in the financing policies in the water supply and sewerage sector and water service providers;

WHEREAS, Section 79 of the General Provisions of RA 9336 (General Appropriations Act of 2005) mandates, among others, the adoption of institutional strengthening measures to improve service delivery and enhance productivity; identification of areas where improvement are necessary; and implementation of corresponding structure, functional and operational adjustments that will result in streamlined organization and operation and improved performance and productivity;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. *Core Functions.* – LWUA shall provide institutional development services, and strengthen its lending practices and policies on granting financial assistance grounded on sound development banking principles aimed at graduating water districts (WDs) and other water service providers (WSPs); allowing efficient use of financial resources, extend technical assistance to WDs/WSPs and addressing the need for a greater number of WDs/WSPs.

SECTION 2. *Specific Shifts in Policy Directions, Functions, Programs, Activities and Strategies.* – To fully implement the reform objectives/policies in the water supply and sewerage sector, LWUA shall:

- a) Improve investor's confidence in the water supply and sewerage sector;
- b) Rationalize the allocation of financial resources in the water supply and sewerage sector through classification and graduation initiatives;
- c) Expand the freedom of choice of water service providers in sourcing their funding requirements;
- d) Increase the participation of Local Government Units (LGUs), Government Financial Institutions (GFIs), and Private Financial Institutions (PFIs) in financing the water supply and sewerage sector;
- e) Stimulate improved service and create financial self-sustainability for water service providers;
- f) Encourage initiatives aimed at self-sufficiency of water service providers, including, but not limited to, amalgamation, private sector participation, cost recovery tariffs, and resource pooling;

- g) Grant initiatives for the improvement and graduation of water service providers;
- h) Educate consumers towards treating water as a scarce economic good; and
- i) Perform such other functions as are necessary for the implementation of the foregoing objectives/policies.

SECTION 3. *Organizational Structure.* – LWUA’s rationalized organization and management structure shall be composed of the following:

- 3.1 ***Board of Trustees.*** – The LWUA Board of Trustees (BOT). shall formulate policy direction for the over-all development of the country’s water supply program. It shall be composed of a Chairman and four members with at least three (3) trustees coming from National Government, provided that DOF shall always be represented in the LWUA-BOT. The Administrator of LWUA shall be an ex-officio Vice-Chairman of the LWUA-BOT. There shall be a Board Secretariat, a Legal Counsel and an Internal Audit Department under the Board of Trustees.
- 3.2 ***The LWUA Administrator.*** – The LWUA shall be headed by an Administrator to be appointed by the President. As chief executive officer of LWUA, the Administrator shall direct and supervise the operation of LWUA and its corporate performance, execute and administer policies and guidelines approved by the Board of Trustees.
- 3.3 ***Deputy Administrators.*** – There shall be a Deputy Administrator for each of the following major Groups:
 - 1) Water Development Group (WDG) (Luzon),
 - 2) WDG-Visayas/Mindanao,
 - 3) Water Financier Group, and
 - 4) Administrative Service Group.

- 3.3.1 ***Water Development Group (WDG).*** – There shall be two WDGs: one group for Luzon and another for Visayas/Mindanao.

The WDG shall be primarily responsible for the continuation of LWUA’s current institutional development services aimed at graduating WDs/WSPs, as well as the classification of the credit worthiness of WDs/WSPs for purposes of determining the appropriate source of financing; it shall develop a graduation plan for semi-creditworthy, pre-creditworthy and non-creditworthy WDs/WSPs based on the graduation initiatives provided under EO 279; and, it shall also monitor the implementation of the graduation plan and evaluate the effectiveness of the graduation initiatives undertaken by WDs/WSPs and other functions undertaken by WDs/WSPs.

The WDG shall operate in four (4) areas, as follows:

- 1) WDG-Luzon shall be handling Areas 1 and 2:
 - Area 1 (covers Regions 1, 2, 3 and CAR), and
 - Area 2: (covers Regions 4 and 5).

- 2) WDG-Visayas/Mindanao shall be handling Areas 3 and 4:

Area 3 (covers Regions 6, 7 and 8),

Area 4 (covers Regions 9, 10, 11, 12 and ARMM region).

Each Area shall be composed of the following divisions namely:

2.1 Corporate Governance Division

2.2 Cost Recovery Tariff Division

2.3 Special Coordination Division

2.4 Engineering Division

- 3) Technical Assistance Department (TAD) – The TAD shall continue LWUA's program of providing technical assistance to WDs/WSPs. Consistent with applicable laws, rules and regulations on government procurement, the TAD shall extend project-related technical assistance to GFIs and creditworthy WDs/WSPs on a competitive basis: provided that above a certain value threshold, LWUA shall extend project related technical assistance to semi-creditworthy WDs/WSPs on a competitive basis. The TAD shall also extend project related assistance to non-creditworthy, pre-creditworthy WDs/WSPs which may be with or without charge within a certain value threshold. The TAD shall have three divisions, to wit:

3.1 Project Development Division

3.2 Water Services Training Division

3.3 Research/Water Laboratory Division

- 3.3.2 ***Water Development Finance Group (WDFG).*** – The WDFG shall enhance and/or strengthen LWUA's lending policies and functions for the purpose of carrying out and implementing its mandate in providing financing, particularly to non-creditworthy, pre-creditworthy and semi-creditworthy WDs/WSPs, grounded on sound development banking principles. It shall develop its own procedure for the monitoring of its loan portfolio; it shall strengthen the collection functions from WDs/WSPs as well as enhance its payment of loans to LWUA creditors. The WDF shall have three departments, to wit:

3.3.2.1 Treasury Department

3.3.2.2 Loan Portfolio Management Department

3.3.2.3 Accounting Department

- 3.3.3 ***Administrative Services Group (ASG).*** The ASG shall provide the requisite support and ancillary services to the organization, with the following departments:

3.3.3.1 Human Resource Management Department

3.3.3.2 Property Management Department

3.3.3.3 General Services Department

- 3.4. *Abolition of the Office of the Senior Deputy Administrator.* – The Office of the Senior Deputy Administrator is hereby abolished and its functions subsumed under the Office of the Administrator and the Deputy Administrators for each WDG.

SECTION 4. *Staffing Pattern.* – Within 30 days after the issuance of this Order, the staffing pattern of LWUA shall be submitted to the Department of Budget and Management (DBM) for review and approval.

LWUA is given the flexibility to make changes in its staffing pattern; Provided, that the number of plantilla positions is maintained; Provided further, that the same shall be subject to the approval of DBM.

SECTION 5. *Options for Personnel Who May Be Affected by the Rationalization of Functions.* – Personnel who may be affected by the rationalization of functions shall have the following options:

- 5.1 Remain in government service, provided that their appointments, whether permanent or temporary, shall be attested by the Civil Service Commission (CSC); Provided further, that those with temporary appointments shall be guaranteed tenure up to the expiration of their appointment only, or
- 5.2 Avail of the retirement/separation benefits herein provided.

SECTION 6. *Personnel Who Would Opt to Remain in Government Service.* – Affected personnel who would opt to remain in government service shall either be:

- a) placed by the CSC in other agencies where additional personnel are required; or
- b) transferred to CSC, if not placed within two (2) months, to remain therein until a match could be found.

Their compensation shall be transferred to the recipient agency or to CSC, as the case may be.

Affected LWUA personnel who choose to remain in government service but would later object to his/her new job assignment, without justifiable meritorious reasons approved by the CSC, shall be deemed separated/retired and shall be paid the appropriate retirement, separation or unemployment under existing retirement/separation laws, without the incentives provided herein.

SECTION 7. *Benefits of Personnel Who Would Opt to Retire or Be Separated from the Service.* – Affected personnel, with appointments attested by the CSC, whether hired on a permanent or temporary basis, who would opt to retire or be separated from the service pursuant to Section 5 hereof and those hired on a casual or contractual basis, if qualified, shall be given the option to avail themselves of any of the following, whichever is beneficial to them:

- 7.1 Retirement gratuity provided under RA 1616, as amended, payable by the last employer of the affected personnel, plus the refund of retirement premiums payable by the Government Service Insurance Service (GSIS), without the incentive herein provided.
- 7.2 Retirement benefit under RA 660 or applicable retirement, separation or unemployment benefit provided under RA 8291, if qualified, plus the following applicable incentives:
- 7.2.1 ½ month of the present basic salary for every year of government service, for those who have rendered 20 years of service and below;

- 7.2.2 ¾ month of the present basic salary for every year of government service, computed starting from the 1st year, for those who have rendered 21 – 30 years of service; and,
- 7.2.3 one (1) month of the present basic salary for every year of government service, computed starting from the 1st year, for those who have rendered more than 30 years of service.

For purpose of Section 7.2.1 to 7.2.3, employment for a fraction of the year shall be considered as employment for the whole year.

PROVIDED: That for the purpose of computing the total amount of incentive that an affected personnel would receive, only his/her government service up to age 59 and a fraction thereof would be counted: government service starting at the age 60 would no longer be subject to the incentive herein provided;

PROVIDED FURTHER: That for the purpose of complying with the required number of years of service under RA 8291, the portability scheme under RA 7699 (An Act Instituting Limited Portability Scheme in the Social Security Insurance Systems by Totalizing the Workers' Creditable Services or Contributions in Each of the Systems) may be applied, subject to existing policies and guidelines;

PROVIDED FURTHERMORE: That on the day of separation, the GSIS shall pay the amount of retirement/separation/unemployment benefits payable by the GSIS, to which an affected employee may be entitled to under the provisions of this Order, subject to the submission of the required documents to the GSIS one (1) month before the set date of retirement/separation.

- 7.3 Those with less than three (3) years of government service may opt to avail of the separation gratuity under R.A. No. 6656; plus the appropriate incentive provided under Section 7.2.

No affected employee who opted for retirement/separation shall receive less than an aggregate amount of Fifty Thousand Pesos (P50,000.00) as his retirement/separation gratuity benefit from both the National Government and the GSIS.

SECTION 8. *Return by the GSIS of the National Government's Share in the Retirement Premiums of Personnel Who Cannot Avail of R.A. No. 660 or RA 8291.* – The GSIS shall return to the National Government the corresponding share of the government to the retirement premiums, with interest, of employees who are not yet entitled to avail either RA 660 or RA 8291.

Section 9. *Other Benefits of Retired/Separated Personnel.* – LWUA affected personnel who opted to retire or be separated shall, in addition to the applicable benefits above, be entitled to the following:

- 9.1 Refund of Pag-IBIG Contributions. All affected personnel who are members of the Pag-IBIG shall be entitled to the refund of their contributions (both personal and government), pursuant to existing rules and regulations of the Home Development Mutual Fund;
- 9.2 Commutation of Unused Vacation and Sick Leave Credits. All LWUA affected personnel shall be entitled to the commutation of unused vacation and sick leave credits in accordance with existing rules and regulations. They are also allowed to monetize their accumulated compensatory time-off credits, if any.

Section 10. *Resulting Staffing Pattern and Personnel.* – To ensure that the new rationalized organization is staffed with competent and dedicated civil servants, the LWUA Management shall draw up the deployment of personnel to the new OSSP with utmost care, subject to all pertinent Civil Service rules and regulations. Further, LWUA Management shall ensure the implementation of appropriate personnel action on affected employees in accordance with the corresponding guidelines as may be issued by the DBM.

SECTION 11. *Transition Plan.* – Towards the smooth and expeditious implementation of its plan, the LWUA Management shall prepare and implement a step-by-step action plan for the transition from the old structure to the new rationalized organization. In this regard, it shall closely supervise and properly document turnover of responsibilities and accountabilities.

SECTION 12. *Funding.* – Funds needed to implement this rationalization, as well as the payment of the separation/retirement benefits, not covered by the GSIS, shall be taken from available LWUA corporate funds, subject to the usual accounting and auditing rules and regulations. In case of funding deficiency, the National Government may provide assistance in the payment of incentives to affected personnel, in accordance with applicable laws, and subject to the usual accounting and auditing rules and regulations.

SECTION 13. *Effectivity of the Retirement/Separation Package.* – The option to avail of the retirement/separation package shall be available up to two (2) months after the DBM approval of the LWUA staffing pattern, provided that such period may be extended only in exceptional circumstances upon the recommendation of the LWUA Administrator and approval by the DBM. LWUA shall ensure that there is a smooth transition from the old to the new rationalized organization. Affected employee who opted to avail of the retirement/separation package shall not be included in the selection and placement process of employees in the new staffing pattern. However, they shall not be considered retired/separated from the service until their actual receipt of the benefits provided herein.

SECTION 14. *Prohibition on Rehiring of Personnel Retired/Separated from the Service.* – A personnel who would opt to retire or be separated as a result of the rationalization efforts shall not be appointed or hired in any agency of the Executive Branch, except in educational institutions and hospitals, within a period of five (5) years. Reemployment in any other Branch of Government shall be considered as new entry to the civil service.

SECTION 15. *Repealing Clause.* – All issuances, orders, rules and regulations or parts thereof that are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

SECTION 16. *Effectivity.* – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 13th day of April, in the year of Our Lord, two thousand and five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By Authority of the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 422
ENHANCING AND AMENDING CERTAIN PROVISIONS OF EXECUTIVE ORDER NO. 399;
REQUIRING THE BUREAU OF INTERNAL REVENUE TO ESTABLISH A PROGRAM
TO PROMOTE OPTIMUM TAX COMPLIANCE

WHEREAS, recognizing the need to establish a program to increase tax collections by providing taxpayers with incentives to voluntarily declare and pay higher taxes and reducing administrative costs from audits and investigations conducted by the Bureau of Internal Revenue, Executive Order No. 399 was issued on the 17th of January, 2005, instructing the Commissioner of Internal Revenue to establish a program to be known as the “*No Audit Program*” (NAP);

WHEREAS, in order to attain the objectives set forth in the establishment of the NAP, there is a need to further enhance the conditions under which taxpayers liable for business income tax shall be exempted from audit and/or investigation;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Section 2 of Executive Order No. 399, Series of 2005, is hereby amended to read:

“*Section 2.* Under the NAP, the Commissioner of Internal Revenue shall provide the conditions, in accordance with law, under which taxpayers liable for business income tax shall be exempted from audit and/or investigation; provided, that to be exempted from audit and/or investigation, the threshold required shall not be lower than the following:

- a. growth rate of income tax payment for the current tax year compared with the previous tax year must be at least 20%;
- b. ratio of income tax payment to gross sales/receipts for the current taxable year must be at least equal to that of the previous taxable year;
- c. ratio of net value added tax or business tax actually paid to gross sales/receipts for the current taxable year must be at least equal to that of the previous taxable year, or the benchmark of the industry, as set by the Commissioner of Internal Revenue, whichever is higher.”

Section 2. All executive orders, rules, regulations and issuances or parts thereof that are inconsistent with the provisions of this executive order are revoked, repealed and/or modified accordingly.

Section 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 26th day of April, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 423

REPEALING EXECUTIVE ORDER NO. 109-A DATED SEPTEMBER 18, 2003 PRESCRIBING THE RULES AND PROCEDURES ON THE REVIEW AND APPROVAL OF ALL GOVERNMENT CONTRACTS TO CONFORM WITH REPUBLIC ACT NO. 9184, OTHERWISE KNOWN AS “THE GOVERNMENT PROCUREMENT REFORM ACT”

WHEREAS, the Arroyo Administration is committed to speedy and efficient delivery of quality services to the Filipino people;

WHEREAS, the procurement process must be simplified in order that all branches, departments, agencies, subdivisions, and instrumentalities of the government, including government owned and controlled corporations, and local government units be able to secure the goods and services when needed;

WHEREAS, Republic Act No. 9184, otherwise known as “the Government Procurement Reform Act”, which was enacted into law on January 10, 2003, likewise declared it the policy of the State to promote the ideals of good governance, with a view to transparency, competitiveness, streamlining, accountability and public monitoring in the procurement processes of Government Contracts;

WHEREAS, in line with the government’s program of good governance, Executive Order No. 109-A dated September 18, 2003 entitled “Amending Executive Order No. 109 dated May 27, 2002 Prescribing the Rules and Procedures on the Review and Approval of all Government Contracts to Conform with Republic Act No. 9184, otherwise known as ‘the Government Procurement Reform Act Streamlining the Rules And Procedures on The Review and Approval Of All Contracts Of Departments, Bureaus, Offices And Agencies Of The Government, Including Government-Owned Or Controlled Corporations And Their Subsidiaries” was issued to conform with the provisions of Republic Act No. 9184 which consolidated the procurement processes of Government Contracts, including the procurement of infrastructure projects, goods and consulting services, and lease of goods and real estate, among others;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Policy Requiring Public Bidding. It is the policy of this Administration that all Government contracts of Government Agencies shall be awarded through open and competitive public bidding, save in exceptional cases provided by law and applicable rules and regulations, as described in Section 3 of this Executive Order.

For this purpose, a Government Agency shall refer to the various units of the Government, including a department, bureau, office, instrumentality, government-owned and/or controlled corporation or its subsidiary, or state college or university (Section 2[4] of Executive Order No. 292 dated July 25, 1987, otherwise known as the Administrative Code of 1987).

Section 2. Approval of Government Contracts Awarded Through Public Bidding. Except for Government contracts required by law to be acted upon and/or approved by the President, the

Heads of the Procuring Entities shall have full authority to give final approval and/or to enter into all Government contracts of their respective agencies awarded through public bidding, regardless of the amount involved. Provided, that the Head of the Procuring Entity certifies under oath that the contract has been entered into in faithful compliance with all applicable laws and regulations.

The Heads of the Procuring Entities may delegate in writing this full authority to give final approval and/or to enter into Government contracts awarded through public bidding, as circumstances may warrant (i.e., decentralization of procurement in a Government Agency), subject to such limitations imposed by the Head of the Procuring Entity concerned (Section 5(j), Republic Act No. 9184).

As defined under Section 5(j) of Republic Act No. 9184, a Head of the Procuring Entity refers to (i) the head of the agency or his duly authorized official, for national government agencies; or (ii) the governing board or its duly authorized official, for government-owned and/or controlled corporations, among others.

Section 3. Exceptions to Public Bidding. Sections 48 to 53 of Republic Act No. 9184 and its Implementing Rules and Regulations provide for exceptional cases where the procurement of infrastructure projects, goods and consulting services may be undertaken through alternative methods of procurement.

Section 4. Approval of Government Contracts Entered Into Through Alternative Methods of Procurement.

a. For Government Contracts Involving An Amount Of At Least Five Hundred Million Pesos (₱500 Million). – Where the Head of the Procuring Entity has made a determination that a Government contract, including Government contracts required by law to be acted upon and/or approved by the President, involving an amount of at least Five Hundred Million Pesos (₱500 Million) falls under any of the exceptions from public bidding described in Section 3 hereof, the Head of the Procuring Entity shall, before proceeding with the alternative methods of procurement provided by law and applicable rules and regulations, obtain the following requirements:

- i. An opinion from the Government Procurement Policy Board (GPPB) that said Government contract falls within the exceptions from public bidding; and
- ii. Approval from the Director-General of NEDA to proceed with a specific alternative method of procurement under the exceptional cases provided by law and applicable rules and regulations.

Except for Government contracts required by law to be acted upon and/or approved by the President, the Heads of the Procuring Entities, after obtaining the foregoing requirements, shall have full authority to give final approval and/or to enter into said Government contracts of their respective agencies, entered into through alternative methods of procurement allowed by law. Provided, that the Head of the Procuring Entity certifies under oath that the contract has been entered into in faithful compliance with all applicable laws and regulations.

b. For Government Contracts Involving An Amount Below Five Hundred Million Pesos (₱500 Million). – Except for Government contracts required by law to be acted upon and/or approved by the President, the Heads of the Procuring Entities shall likewise have full authority to give final approval and/or to enter into Government contracts of their respective agencies, entered into through alternative methods of procurement allowed by law. Provided, that the Department Secretary certifies under oath that the contract has been entered into in faithful compliance with all applicable laws and regulations.

The Heads of the Procuring Entities may delegate in writing this full authority to give final approval and/or to enter into Government contracts involving an amount below Five Hundred Million

Pesos (₱500 Million) entered into through alternative methods of procurement allowed by law, as circumstances may warrant (i.e., decentralization of procurement in a Government Agency), subject to existing laws and such limitations imposed by the Head of the Procuring Entity concerned (Section 5(j), Republic Act No. 9184).

Section 5. Authority to Bind the Government. All Government contracts shall require the approval and signature of the respective Heads of the Procuring Entities or their respective duly authorized officials, as the case may be, as required by law, applicable rules and regulations, and by this Executive Order, before said Government contracts shall be considered approved in accordance with law and binding on the government, except as may be otherwise provided in Republic Act No. 9184. For Government contracts required by law to be acted upon and/or approved by the President, Section 6 of this Executive Order governs the process by which such Government contracts shall be considered entered into with authority and binding on the Government.

The Heads of the Procuring Entities or their respective duly authorized officials, as the case may be, shall be responsible and accountable for ensuring that all Government contracts they approve and/or enter into are in accordance with existing laws, rules and regulations and are consistent with the spending and development priorities of Government.

All Government contracts entered into in violation of the provisions of law, rules and regulations, and of this Executive Order shall be considered contracts entered into without authority and are thus invalid and not binding on the Government.

Section 6. Government Contracts Requiring Presidential Action and/or Approval.

a. All Government contracts required by law to be acted upon and/or approved by the President, and any subsequent amendments or supplements thereto, shall not be signed until after the NEDA Board, which is chaired by the President, has favorably acted upon and/or approved the same.

b. All Government contracts required by law to be acted upon and/or approved by the President, and any subsequent amendments or supplements thereto, shall be submitted with complete documentation to NEDA, through its Director-General, within seven (7) days from the approval by the Head of the Procuring Entity concerned or his/its duly authorized official, as the case may be, for NEDA's review and evaluation.

Government contracts submitted hereunder shall be accompanied by a complete execution copy of the contract, related agreements, annexes, other approvals and permits, including a detailed summary of the pertinent laws, rules and regulations governing the processing and award of the contract, and accompanied by the requirements of Section 4(a) hereof where alternative methods of procurement were resorted to.

c. Within thirty (30) days from its receipt of the Government contract with complete documentation, and any subsequent amendments or supplements thereto, NEDA shall submit, its recommendation to the NEDA Board, which is chaired by the President, for appropriate action. The NEDA Board, at a meeting chaired by the President, shall then act and/or approve the Government contract, as it deems appropriate.

d. Within seven (7) days from the date of the NEDA Board's action, NEDA, through its Director-General, shall formally notify the Head of the Procuring Entity concerned or his/its duly authorized official, as the case may be, of the action of the NEDA Board, including any comments thereon.

e. Should the NEDA favorably act on the contract, the Department Secretary and Head of the Procuring Entity is hereby given full powers and authority to approve, sign, execute and deliver any deed or document necessary and proper for the execution and implementation of such contract and subsequent amendments or supplements thereto. *Provided*, that the Department Secretary and Head of Procuring Entity shall certify under oath that: (1) such contract complies with the Constitution and

all existing laws, rules and regulations and that (2) such contract is not grossly disadvantageous to the government.

Section 7. Governing Law for Government Contracts.

a. Contracts for the Procurement of Infrastructure Projects, Goods, and Consulting Services. Contracts for the procurement of infrastructure projects, goods, and consulting services shall be governed by Republic Act No. 9184 and its Implementing Rules and Regulations (Section 4, Republic Act No. 9184).

Contracts for the lease of goods and real estate shall be governed by Republic Act No. 9184 and its Implementing Rules and Regulations (Section 5[n], Republic Act No. 9184).

b. Contracts for Acquisition of Right-of-Way, Site or Location for National Government Infrastructure Projects. Contracts for the acquisition of real property needed as right-of-way, site or location for national government infrastructure projects shall be governed by Republic Act No. 8974 (Section 5[n]), Republic Act No. 9184).

c. BOT Contracts. Contracts undertaken through Build-Operate and Transfer (BOT) schemes and other variations shall be governed by Republic Act No. 6957, as amended by Republic Act No. 7718, and its Implementing Rules and Regulations.

d. ODA-funded Contracts. Government Contracts financed wholly or partly with Official Development Assistance (ODA) funds shall be governed by Republic Act No. 4860, as amended, Republic Act No. 8182, as amended by Republic Act No. 8555, and Republic Act No. 9184 and its Implementing Rules and Regulations (Section 4, Republic Act No. 9184).

The GPPB may issue guidelines for Government Contracts financed with ODA funds with the objective of promoting transparency, competitiveness, and accountability in government transactions, and, where applicable, complying with the requirements of an open and competitive public bidding, consistent with Republic Act No. 9184 and its Implementing Rules and Regulations (Section 4, Republic Act No. 9184).

Section 8. Joint Venture Agreements. The NEDA, in consultation with the GPPB, shall issue guidelines regarding joint venture agreements with private entities with the objective of promoting transparency, competitiveness, and accountability in government transactions, and, where applicable, complying with the requirements of an open and competitive public bidding.

Section 9. Transactions of Government Financial Institutions. Transactions of government financial institutions in the ordinary course of business shall not be covered by the provisions of this Executive Order. Such transactions shall instead be subject to applicable provisions of law and to guidelines, rules and regulations issued by the Department of Finance.

Section 10. Submission of Government Contracts. With a view to creating a repository of all important Government contracts, a complete copy of all Government contracts involving an amount of at least Three Hundred Million Pesos (P300 Million) shall be submitted to NEDA, through its Director-General, within seven (7) days from the date of signing and/or approval thereof, accompanied with a complete copy of its related agreements, annexes, other approvals and permits, and a detailed summary of the pertinent laws, rules and regulations governing the processing and award of the contract.

Section 11. Splitting of Government Contracts. – Splitting of Government contracts is not allowed. Splitting of Government contracts means the division or breaking up of Government contracts into smaller quantities and amounts, or dividing contract implementation into artificial phases or sub-contracts for the purpose of evading or circumventing the requirements of law and this Executive Order, especially the necessity of public bidding and the requirements for exceptions therefrom in accordance with Section 4(a) hereof.

Section 12. Local Government Units. – Procurement contracts of local government units, regardless of the source of funds, shall be subject to the provisions of Republic Act No. 9184 and its Implementing Rules and Regulations.

Section 13. Prospective Application. All Government contracts, including those presently being processed and/or reviewed in accordance with Executive Order No. 109-A dated September 18, 2003, shall hereafter be processed and/or reviewed in accordance with this Executive Order.

Section 14. Repeal and Amendment. Executive Order No. 109-A dated September 18, 2003 is hereby repealed. All orders, issuances, memoranda and other presidential issuances expressly repealed by the said Executive Order 109-A shall remain repealed.

Memorandum Order No. 266 dated November 28, 1980 insofar as it relates to joint venture agreements with private entities, and Department of Public Works and Highways Circular No. 125, series of 1993, insofar as it relates to the lease of real estate, are hereby amended accordingly.

All other presidential directives, issuances, orders, rules and regulations or parts thereof inconsistent with this Executive Order are likewise hereby repealed or modified accordingly.

Section 15. Effectivity. This Executive Order shall take effect immediately upon publication in two (2) newspapers of general circulation.

DONE in the City of Manila, this 30th day of April, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 424

DIRECTING THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD) TO EXERCISE OVERSIGHT FUNCTION OVER THE NATIONAL YOUTH COMMISSION (NYC)

WHEREAS, the Department of Social Welfare and Development (DSWD) is mandated to attend to the special needs of children, youth, women, persons with disability, older persons, families, communities and victims of calamities and disasters by providing a balanced approach to welfare;

WHEREAS, the National Youth Commission (NYC), established under Republic Act No. 8044, otherwise known as the “Youth in Nation-Building Act”, is the policy-coordinating agency of the government which promotes wide and active participation of the youth as partners in nation-building;

WHEREAS, there is a need for the DSWD to exercise oversight function over the NYC primarily to synchronize policy formulation, coordination, decision-making and in the implementation of programs and services for the youth;

WHEREAS, Section 31, Chapter 10, Title III, Book III of Executive Order 292, otherwise known as the “Administrative Code of 1987”, grants to the President continuing authority to reorganize the administrative structure of the Office of the President;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Without prejudice to the undertaking of their respective functions, the DSWD shall exercise oversight function over the NYC, in order to ensure completion and supplementation of support services for the youth and sustain inter-agency and multi-sectoral efforts at the national, provincial, city/municipal and barangay level.

SEC. 2. All orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SEC. 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 10th day of May, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 425
DIRECTING THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD)
TO EXERCISE OVERSIGHT FUNCTION OVER THE NATIONAL COMMISSION
ON THE ROLE OF FILIPINO WOMEN (NCRFW)

WHEREAS, the Department of Social Welfare and Development (DSWD) is the principal government agency that implements the State's commitment to the care, protection and rehabilitation of individuals, families, and communities by providing a balanced approach to welfare;

WHEREAS, the National Commission on the Role of Filipino Women (NCRFW), established by virtue of Presidential Decree No. 633, dated January 7, 1975, under the Office of the President, is an advisory body to the President and the Cabinet on policies and programs for the advancement of women in their diversified roles as citizens, homemakers, workers, volunteers, participants in the development of friendly relations and cooperation among nations, and in the promotion of world peace;

WHEREAS, there is a need for the DSWD to exercise oversight function over the NCRFW to facilitate coordination of policies and programs; to advocate women issues and concerns at the Executive Level and other ministerial level fora; to sustain inter-agency and multi-sectoral concerns at all levels; and to ensure gender mainstreaming in policy making, planning and programming, all affecting the advancement of the Filipino women;

WHEREAS, Section 31, Chapter 10, Title III, Book III of Executive Order 292, otherwise known as the "Administrative Code of 1987", grants to the President continuing authority to reorganize the administrative structure of the Office of the President;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The DSWD shall exercise oversight function over the NCRFW without prejudice to the undertaking of their respective functions.

SEC. 2. All orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SEC. 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 10th day of May, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 426

**TRANSFERRING THE SUPERVISION OF THE MANILA ECONOMIC AND CULTURAL OFFICE
IN THE FIELD OF TRADE, INVESTMENT AND OTHER ECONOMIC MATTERS FROM THE
OFFICE OF THE PRESIDENT TO THE DEPARTMENT OF TRADE AND INDUSTRY**

WHEREAS, the Department of Trade and Industry (DTI) is the primary coordinative, promotive, facilitative, and regulatory arm of the Executive Branch of government in the area of trade, industry and investment;

WHEREAS, the Manila Economic and Cultural Affairs (MECO) was established to promote, among others, cooperation in the field of economic, trade and cultural matters between the Philippines and Taiwan on a people to people basis;

WHEREAS, in order to facilitate coordination of policies and programs between these entities in the fields of trade, investment and economic matters, it is necessary for the Secretary of Trade and Industry to exercise supervision of MECO in these matters.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of powers vested in me by law, do hereby order the following:

SECTION 1. Policy supervision over the MECO's functions in the field of trade, investment and other economic matters, shall be exercised by the Secretary of the Department of Trade and Industry.

SECTION 2. Executive Order No. 328 s. 2004 and all other Executive Orders, issuances, rules and regulations inconsistent with this Executive Order are hereby repealed, modified or amended accordingly.

SECTION 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 16th day of May, in the year of Our Lord, two thousand and five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 427

MANDATING THE TURN OVER OF CERTAIN NATIONAL ROADS WITHIN THE CITY OF MANDAUE FROM THE NATIONAL GOVERNMENT TO THE CITY GOVERNMENT OF MANDAUE FOR PURPOSES OF REPAIR, MAINTENANCE AND MANAGEMENT

WHEREAS, the Department of Public Works and Highways (DPWH) is the government agency tasked with the duty and responsibility to carry out and implement the national infrastructure program of the government on roads, bridges and other infrastructure facilities including those infrastructure facilities located within the territorial jurisdiction of Local Government Units (LGUs);

WHEREAS, LGUs have been effective partners of the national government in the socio-economic development of the country;

WHEREAS, in support of the national government's austerity policy, the City of Mandaue, in consonance with its desire to improve and beautify the existing national infrastructure facilities within its territorial jurisdiction, is willing to utilize its own resources to augment the limited allocation of the national government for the maintenance, repair and management of said facilities; however, the City of Mandaue is hindered by legal technicalities that might arise considering that the same are owned by the national government;

WHEREAS, Section 93 of R.A. 5519, otherwise known as the Charter of the City of Mandaue, provides that "(a)ll existing municipal, provincial and national roads, streets, bridges, docks, piers, wharves, machineries, equipment, and other public works improvements shall be owned by the City of Mandaue."

NOW, THEREFORE, I GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. *Turn Over of Infrastructure Facilities.* – DPWH is directed to turn over to the City of Mandaue the undertaking to repair, maintain and manage the following government-owned and DPWH-administered infrastructure facilities situated in the City of Mandaue:

1. United Nations Avenue, Sta. 8+291 – Sta. 10+639, net length of 2.348 km
2. AC Cortes Avenue, Sta. 7+196 – Sta. 9+507, net length of 2.311 km
3. Marcelo Fernan Bridge Access Roads to and from the Mini park (Mandaue Side) Sta. 10+119 – Sta. 10+955 including the Mini park.

Section 2. *Deed of Conveyance.* – The Secretary of the Department of Public Works and Highways is hereby directed to execute the necessary deed of conveyance for the transfer of the roads mentioned in Section 1 hereof in favor of Mandaue City.

Section 3. *Lighting Facilities.* – The lighting facilities of Subangdaku and Maguikay Flyovers including their appurtenances shall be turned over to the City of Mandaue for maintenance and operations at its own cost.

Section 4. *Memorandum of Agreement.* – The Memorandum of Agreement for the effective implementation of this Executive Order shall be jointly prepared and approved by the Department of Public Works and Highways and the City of Mandaue.

Section 5. *Effectivity.* – This Executive Order shall take effect immediately.

Done in the City of Manila, this 16th day of May, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). [*Executive Order Nos.: 401 - 500*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 428

DIRECTING DEPARTMENTS, BUREAUS, OFFICES AND OTHER AGENCIES IN THE EXECUTIVE BRANCH, INCLUDING GOVERNMENT – OWNED AND CONTROLLED CORPORATIONS TO SIMPLIFY RULES AND REGULATIONS AND REDUCE REPORTORIAL REQUIREMENTS TO FACILITATE DOING BUSINESS AND ENCOURAGE MORE INVESTMENTS IN THE COUNTRY

WHEREAS, the elimination of poverty is the overriding goal of the administration, with the private sector serving as the leading engine of development and progress;

WHEREAS, a vigorous and progressive business sector is essential in the attainment of national socio-economic objectives;

WHEREAS, existing government rules, regulations and procedures including reportorial requirements, cause undue difficulty to private businesses and individual citizens alike, thus discouraging investment and business expansion, and hampering the attainment of a vibrant and progressive economy that demands simpler and reduced rules and regulations for business and industry in order to be more competitive with other countries;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

1. Departments, bureaus, agencies and offices in the Executive Branch of Government, including Government-Owned and Controlled Corporations (GOCCs) are hereby directed to simplify rules, regulations, procedures and reduce reportorial requirements imposed for business and industry, with the aim of eliminating duplication and unnecessary requirements, thereby attracting and encouraging more investments and allowing business and industry to devote maximum effort and time to their operation and expansion rather than to compliance with excessive bureaucratic requirements. Local Government Units are encouraged to adopt similar measures.

2. The Executive Secretary shall see to it that this Order is effectively carried out.

3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 18th day of May, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 429
PROVIDING FOR THE REORGANIZATION OF ADMINISTRATIVE REGION VI TO
INCLUDE THE PROVINCE OF PALAWAN AND PUERTO PRINCESA CITY

WHEREAS, the 1987 Constitution states that the President shall exercise general supervision over local governments;

WHEREAS, there is an urgent need to reorganize administrative Region VI to include the Province of Palawan and Puerto Princesa City to guarantee the effective delivery of field and public services of government agencies and accelerate social and economic development in the same;

NOW THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law do hereby order:

Section 1. Region VI is hereby reorganized to include the Province of Palawan and Puerto Princesa City;

Section 2. The Department of Interior and Local Government is hereby directed to supervise the transfer of the Province of Palawan and Puerto Princesa City from Region IV to Region VI;

Section 3. All issuances, orders, ordinances, rules, regulations and issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly;

Section 4. This Executive Order shall take effect immediately following the completion of its publication in a newspaper of general circulation

Done in the City of Manila, this 23 day of May, in the year of our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 430

**DELEGATING TO THE SECRETARY OF EDUCATION THE POWER TO EXERCISE OVERSIGHT
FUNCTION OVER THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS (NCCA)**

WHEREAS, the National Commission for Culture and the Arts (Commission) was created under Republic Act No. 7356, approved on April 3, 1992;

WHEREAS, Section 8 thereof provides that “x x x The Commission shall be an independent agency and shall render an annual report of its activities and achievements to the President and to Congress”;

WHEREAS, Executive power is vested in the President under Section I, Article VII of the Constitution and under Section II, Chapter 3, Book II of Executive Order No. 292, otherwise known as the “Administrative Code of 1987;

WHEREAS, Section 17, Article VII of the Constitution provides that the President shall have control of all executive departments, bureaus and offices and shall ensure that all laws be faithfully executed;

WHEREAS, Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987 grants to the President continuing authority to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order:

SECTION 1. Delegation to the Secretary of Education (DepEd). The power of the President under Section 17, Article VII of the Constitution and as administrative head, of the Government to exercise oversight function over the National Commission for Culture and the Arts, is hereby delegated to the Secretary of Education.

SEC. 2. Repealing Clause. All other executive issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

SEC. 3. Effectivity. This Executive Order shall take effect immediately.

Manila, May 26, 2005

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 431
REVERTING ALL DORMANT ACCOUNTS, UNNECESSARY SPECIAL AND TRUST
FUNDS TO THE GENERAL FUND AND FOR OTHER PURPOSES

WHEREAS, the Commission on Audit, in its Annual Audit Report, confirm the existence of huge cash balances maintained by government agencies with authorized government depository banks;

WHEREAS, there is a need to look into the status of the aforementioned cash balances and the legal basis for maintaining the same outside the control of the Bureau of Treasury;

WHEREAS, Section 29(3), Article VI of the Constitution provides that once the purpose for which a special fund was created has been fulfilled or abandoned, the balance, if any, shall be transferred to the general funds of the government;

WHEREAS, Section 45, Chapter 5, Book VI of EO No. 292, otherwise known as the Administrative Code of 1987, mandates the Permanent Committee composed of the Secretary of Finance, the Secretary of Budget and Management and the Chairman of the Commission on Audit to monitor and evaluate the activities and balances of all Funds outside the General Fund and recommend to the President its reversion to the General Funds;

WHEREAS, Section 44, Chapter 5, Book VI of EO No. 292 and Section 65 of PD 1445 mandate all income accruing to the departments, offices and agencies to be deposited in the National Treasury or in any authorized depository of the government and shall accrue to the unappropriated surplus of the General Fund of the Government;

WHEREAS, EO No. 338, s. 1996, requires all government offices and agencies, unless otherwise specifically provided by law, to immediately transfer all public monies deposited with depository banks and other institutions to the Bureau of Treasury, regardless of income source;

WHEREAS, the transfer of these funds to the National Treasury would augment depleting funds of the National Government, which otherwise would be borrowed/loaned from outside sources, and greatly ease current fiscal pressures and facilitate the implementation of programs and projects enunciated under the 10 Point Agenda.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Permanent Committee (PC), created pursuant to Sec. 45 Chapter 5, Book VI of the Administrative Code of 1987, consisting of the Secretary of Finance as Chairman, Secretary of Budget and Management, and the Chairman of the Commission of Audit as members, is hereby mandated to examine, look into and evaluate all existing cash deposits of whatever nature, whether foreign or local currency, maintained outside of the Bureau of Treasury with authorized government depository banks and other institutions by departments, bureaus and all other agencies of the National Government.

SEC 2. The PC shall review and determine the legal basis for the maintenance of said funds with authorized government depository banks or other institutions where the funds are deposited. The PC

shall prepare an inventory of the cash accounts of each and every department, bureau and agency of the National Government and shall recommend to the President the transfer thereof to the National Treasury where no legal impediment exists pursuant to the provisions of Sections 44 and 45 Chapter 5, Book VI of the Administrative Code of 1987.

SEC 3. All departments, bureaus and agencies of the National Government are hereby ordered to cooperate, open their books of account and assist the PC and its authorized representatives in the conduct of inspection and review and ensure the smooth and efficient transfer to the Bureau of Treasury of cash funds stated in the preceding sections.

SEC 4. The PC is hereby directed to issue the necessary rules and regulations for the proper and efficient implementation of this Order.

SEC 5. Heads of departments, bureaus and all other agencies of the National Government along with the PC shall ensure strict implementation of this Order. Any violation hereof shall be sternly dealt with in accordance with law.

SEC 6. All orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SEC 7. This Executive Order shall take effect immediately.

Done in the City of Manila, this 30th day of May, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 432
TRANSFERRING THE POWERS, FUNCTIONS, AND DUTIES OF THE DEFUNCT
AD HOC FACT-FINDING COMMITTEE ON BEHEST LOANS TO THE
PRESIDENTIAL COMMISSION ON GOOD GOVERNMENT

WHEREAS, the Presidential Ad Hoc Fact-Finding Committee on Behest Loans (Committee) was created by Administrative Order No. 13, dated October 8, 1992, tasked to “(1) *Inventory all behest loans, identify the lenders and borrowers, including the principal officers and stockholders of the borrowing firms, as well as the persons responsible for granting the loans or who influenced the grant thereof;* (2) *Identify the borrowers who were granted “friendly waivers,” as well as the government officials who granted these waivers; determine the validity of these waivers;* (3) *Determine the course of action that the government should take to recover these loans, and to recommend appropriate actions to the Office of the President. . .*”;

WHEREAS, Memorandum Order No. 61 dated November 9, 1992 broadened the scope of authority of the Committee by including in its investigation, inventory, and study all non-performing loans which shall embrace both behest and non-behest loans;

WHEREAS, Memorandum Order No. 91 dated February 15, 2000 further expanded the scope of the Committee’s authority to file and prosecute the corresponding legal action for the recovery of deficiency claims arising out of behest and non-behest loans that have been defaulted;

WHEREAS, Section 2 of Memorandum Order No. 91, series of 2000, further provided that the Presidential Commission on Good Government (PCGG) shall render its full assistance and support to the Committee in the filing and prosecution of behest loans cases;

WHEREAS, the Legal Department of the PCGG has rendered full assistance and support to the Committee in the filing and prosecution of behest loans cases since 1995, for which purpose the amount of **TEN MILLION PESOS (P 10,000,000.00)** was appropriated from the budget of the Office of the President (OP);

WHEREAS, Executive Order No. 72 dated February 11, 2002 rationalized the agencies under or attached to the OP, thereby rendering the Committee as abolished;

WHEREAS, the national interest requires that the duties and responsibilities of the Committee must be performed by the PCGG, which is the agency most suited to perform the tasks of filing and prosecuting behest loans cases.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Presidential Commission on Good Government (PCGG) in addition to its powers, functions, and duties pursuant to existing laws and executive issuances, shall perform the following, to wit:

- a. Inventory all behest loans, identify the lenders and borrowers, including the principal officers and stockholders of the borrowing firms, as well as the persons responsible for granting the loans or who influenced the grant thereof;
- b. Identify the borrowers who were granted “friendly waivers,” as well as the government officials who granted these waivers, and determine the validity of these waivers;
- c. Determine the course of action that the government should take to recover those loans, and to recommend appropriate actions to the Office of the President (OP);
- d. Investigate, inventory, and study all non-performing loans which shall embrace both behest and non-behest loans; and
- e. File and prosecute the corresponding legal action for the recovery of deficiency claims arising out of behest and non-behest loans that have been defaulted.

The criteria in determining a behest loan as enumerated under Section 1 of Memorandum Order No. 61, series of 1992, shall remain valid.

SECTION 2. The PCGG shall have the legal personality to continue the prosecution of all pending legal actions pertaining to behest loans filed by the now defunct Presidential Ad Hoc Fact-Finding Committee on Behest Loans. Further, PCGG shall file and prosecute any future legal action concerning the same.

SECTION 3. The PCGG is hereby empowered to call upon any department, bureau, office, agency, instrumentality or corporation of the government, or any officer or employee thereof, for such assistance as it may need in the discharge of its functions.

SECTION 4. This Executive Order shall take effect immediately.

Done, in the City of Manila, this 26th day of May, in the year of our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 433
AMENDING EXECUTIVE ORDER NO. 81 DATED MARCH 5, 1999 AND TRANSFERRING
THE MANAGEMENT OF THE PALARONG PAMBANSA FROM THE PHILIPPINE
SPORTS COMMISSION TO THE DEPARTMENT OF EDUCATION

WHEREAS, Executive Order No. 81, dated March 5, 1999 and its Implementing Rules and Regulations, transferred the sports programs and activities of the Department of Education Culture and Sports [now Department of Education (DepEd)] to the Philippine Sports Commission (PSC);

WHEREAS, under Republic Act No. 9155 entitled “Governance of Basic Education Act of 2001,” the program of physical education and school sports is an integral part of the basic education curriculum being implemented by the DepEd;

WHEREAS, pursuant to the Implementing Rules and Regulations of EO No. 81, the PSC has been in charge of the management and implementation of the Palarong Pambansa;

WHEREAS, after evaluation and review of the implementation of Palarong Pambansa for the past several years, the PSC and DepEd deemed it to the best interest of the national school sports program to return the management of Palarong Pambansa to the DepEd;

WHEREAS, paragraph 2, Section 31, Chapter 10, Title III, Book III of Executive Order 292, otherwise known as “Administrative Code of 1987”, grants to the President continuing authority to reorganize the administrative structure of the Office Of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Transferring the management of the Palarong Pambansa and funds to the DepEd. The management of the programs and activities of the Palarong Pambansa and the funds intended for this purpose are hereby transferred from the PSC to the DepEd.

SEC. 2. Defining the Role of DepEd. The DepEd shall:

1) Include in its regular calendar of activities for the month of May or during summer vacation, in order not to disrupt classes, the conduct of the Palarong Pambansa and its preparatory activities which may include school intramurals, district, division and regional athletic meets.

2) Propose the inclusion of budgetary appropriations in the annual General Appropriations Act for the implementation of the Palarong Pambansa and its preparatory activities.

SEC. 3. Coordination between DepEd and PSC. The DepEd and PSC shall continue to coordinate in the implementation of programs and projects for physical education and school sports, and all activities that contribute to the meaningful and substantial celebration of year 2005 as “International Year for Sports and Physical Education”, as declared by the United Nations.

SEC. 4. Implementing Guidelines. The DepEd, in coordination with the PSC and other concerned entities, shall formulate the rules and guidelines for the effective implementation of this Order within forty-five days after its effectivity.

SEC. 5. Repealing Clause. All Executive Orders, Administrative Orders and other executive issuances inconsistent herewith are hereby repealed, modified or amended accordingly.

SEC. 6. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, Philippines, this 31st day of May, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 434
DELEGATING TO THE SECRETARY OF EDUCATION THE POWER TO EXERCISE
POLICY OVERSIGHT OVER THE COMMISSION ON HIGHER EDUCATION

WHEREAS, the Commission on Higher Education (Commission) was created under Republic Act No. 7722, approved on May 18, 1994, otherwise known as the “Higher Education Act of 1994”;

WHEREAS, Section 3 thereof provides that “x x x The Commission shall be independent and separate from the Department of Education, Culture and Sports [DECS, now Department of Education (DepEd)] and attached to the Office of the President for administrative purposes only. x x x”;

WHEREAS, Executive power is vested in the President under Section I, Article VII of the Constitution and under Section II, Chapter 3, Book II of Executive Order No. 292, otherwise known as the “Administrative Code of 1987;

WHEREAS, Section 17, Article VII of the Constitution provides that the President shall have control of all executive departments, bureaus and offices and shall ensure that all laws be faithfully executed;

WHEREAS, paragraph 2, Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987 grants to the President continuing authority to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order:

SECTION 1. Delegation to the Secretary of Education (DepEd). The power of the President under Section 17, Article VII of the Constitution and as administrative head of the Government to exercise policy oversight over the Commission on Higher Education, is hereby delegated to the Secretary of Education.

SEC. 2. Repealing Clause. All other executive issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

SEC. 3. Effectivity. This Executive Order shall take effect immediately.

Manila, June 3, 2005

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 435

AMENDING SECTION 5 (IV) OF EXECUTIVE ORDER NO. 236 ENTITLED “ESTABLISHING THE HONORS CODE OF THE PHILIPPINES TO CREATE AN ORDER OF PRECEDENCE OF HONORS CONFERRED AND FOR OTHER PURPOSES”

WHEREAS, Executive Order (“EO”) No. 236 (s. 2003) rationalized the roster of civil awards and decorations of the Philippines to ensure consistency of criteria in conferring honors, preserve integrity and prestige thereof, clarify and definitively establish their order of precedence, in conformity with internationally-accepted traditional and protocular norms and practices;

WHEREAS, under EO 236, the Order of National Artists shall be conferred upon the recommendation of the Cultural Center of the Philippines (“CCP”) and the National Commission for Culture and the Arts (“NCCA”);

WHEREAS, there is a need to harmonize the procedure for awarding the Order of National Artists with the purpose and intent of existing laws, i.e. Proclamation No. 1001, as amended by Proclamation No. 1144 and Presidential Decree No. 208, as well as Republic Act No. 7356, in relation to Section 20, Chapter 7, Title 1, Book III of Executive Order No. 292, otherwise known as the “Administrative Code of 1987”;

WHEREAS, due recognition must be given to National Artists for their valuable contributions to the cultural heritage of the country, as well as in encouragement of the spirit of excellence in the arts and letters;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby amend Section 5 (IV) of EO No. 236, entitled “Establishing the Honors Code of the Philippines to create an Order of Precedence of Honors Conferred and for Other Purposes,” on Order of the National Artists, to read as follows:

“IV. Order of National Artists (Orden ng mga Pambansang Alagad ng Sining); Order of National Scientists (Orden ng mga Pambansang Alagad ng Agham); Order of National Social Scientist (Orden ng mga Pambansang Alagad ng Agham Panlipunan); Gawad sa Manlilikha ng Bayan (Award for National Living Treasures)-

Order of National Artists

Pursuant to Proclamation No. 1001 dated April 27, 1972 and Republic Act No. 7356, the National Commission for Culture and the Arts and the Cultural Center of the Philippines shall advise the President on the conferment of the Order of National Artists, the highest national recognition conferred upon Filipinos who have made distinct contributions to development and promotion of Philippine culture and the arts.

The National Artist for Historical Literature, created under Executive Order No. 451 dated October 9, 1997, is subsumed under the Order of National Artists.”

This amendment shall take effect immediately.

DONE in the City of Manila, this 8th day of June, in the year of our Lord, Twenty Hundred and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 436

**TRANSFERRING THE MANAGEMENT, ADMINISTRATION AND MAINTENANCE OF
THE HUNDRED ISLANDS NATIONAL PARK (HINP) FROM THE PHILIPPINE TOURISM
AUTHORITY TO THE CITY GOVERNMENT OF ALAMINOS, PANGASINAN**

WHEREAS, pursuant to Presidential Proclamation No. 667 dated January 18, 1940, a group of islands in the Municipality of Alaminos, Pangasinan was established for the benefit and enjoyment of the people of the Philippines and known as the “Hundred Islands National Park” (HINP);

WHEREAS, Republic Act No. 3655 dated June 22, 1962, created the Hundred Islands Conservation and Development Authority (HICDA), for the conservation, development and management of HINP;

WHEREAS, the HINP including Lucap Bay was transferred from HICDA to the Philippine Tourism Authority (PTA) by virtue of Section 35 of Presidential Decree No. 564;

WHEREAS, pursuant to Proclamation No. 2183 dated April 27, 1982, the HINP, including the Lucap Bay and its foreshore areas beginning from Sitio Telbang in the east to Sitio Recudo in the west, was declared as a Tourist Zone and Marine Reserve under the control and administration of the PTA;

WHEREAS, certain parcels of land reserve for Marine Fisheries Multi-Purpose Farm under Proclamation No. 1282 dated June 21, 1974 were withdrawn and placed under the control and supervision of the PTA for development purposes as provided for under Presidential Proclamation No. 2237 dated November 06, 1982;

WHEREAS, Republic Act No. 7160 otherwise known as the Local Government Code of 1991, encourages the transfer of power and authority from the national government to the local government units, in line with the government’s devolution program as mandated by the Constitution;

WHEREAS, the HINP, the Lucap Bay and marine reserve fall within the territorial jurisdiction of the City Government of Alaminos, Pangasinan by virtue of Republic Act No. 9025, otherwise known as “AN ACT CONVERTING THE MUNICIPALITY OF ALAMINOS, PANGASINAN INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF ALAMINOS.”

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, hereby order:

SECTION 1. Transfer of Administration, Control, Management and Maintenance. – The administration, management, maintenance and operation of the whole Hundred Islands National Park (HINP) as delineated under Proclamation No. 667 dated January 18, 1940, the Tourist Zone and Marine Reserve under Presidential Proclamation No. 2183 dated April 27, 1982, and the control and supervision over certain parcels of lands under Presidential Proclamation No. 2237 dated November 6, 1982, including all the activities, facilities and improvements thereon, are hereby transferred from the Philippine Tourism Authority (PTA) to the City Government of Alaminos, Pangasinan.

SEC. 2. PTA-HINP Employees. – The City Government of Alaminos may opt to absorb PTA-HINP employees whose services are necessary for the continuance of HINP’s operations. On the other

hand, employees who are not absorbed by the City of Alaminos may continue their employment at PTA if their services are still deemed necessary by the PTA. Employees who are no longer needed by PTA shall be paid their corresponding separation pay and other benefits which they are entitled to, subject to civil service rules and regulations.

SEC. 3. Control and Supervision. – The City Government of Alaminos shall have full control of administration, supervision and discretion in its management, including the award and regulations of all activities and concessions in the HINP as well as the Lucap Bay and its Foreshore Area.

SEC. 4. Prohibited Acts. - The City Government of Alaminos shall not encumber, mortgage, or alienate any portion of the HINP. Its use shall be limited only to recreation and tourism-related activities.

SEC. 5. Revenues. – All revenues and collections generated from the operation of the HINP shall accrue to the treasury of the City Government of Alaminos and shall be used solely for the management, maintenance, operation and development of the HINP.

SEC. 6. The Department of Environment and Natural Resources (DENR) Task. – Since the HINP has been declared as a protected area under Republic Act No. 7586, otherwise known as NIPAS ACT of 1992, and within the limited jurisdiction of the DENR, the City Government of Alaminos must coordinate with the DENR in the preparation of its management plans as mandated by R.A. 7586.

SEC. 7. Promotions and Technical Assistance. – The DOT, PTA and DENR shall continue to provide promotional support and technical assistance for the operation and further development of the HINP and foreshore area.

SEC. 8. Repealing Clause. – All other executive issuances rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

SEC. 9. Effectivity. – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 21st day of June, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 437
ENCOURAGING THE IMPLEMENTATION OF COMMUNITY-BASED REHABILITATION
(CBR) FOR PERSONS WITH DISABILITIES IN THE PHILIPPINES

WHEREAS, Section 11, Article XIII, of the 1987 Constitution, declares that “the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged sick, elderly, disabled, women and children. The State shall endeavor to provide free medical care to paupers”;

WHEREAS, Republic Act No. 7277, otherwise known as the Magna Carta for Disabled Persons, expressly provides that “people with disabilities shall be given rehabilitation, opportunities for self-development and self-reliance to prepare them for full integration into the mainstream of society”;

WHEREAS, Republic Act No. 8425, otherwise known as the Social Reform Act provides for the poverty-alleviation of the basic sectors, including persons with disabilities;

WHEREAS, the Biwako Millennium Framework which promotes a right-based, barrier-free and inclusive society for persons with disabilities is supported by Proclamation No. 240 “Declaring the period, 2003-2012 as the Philippine Decade of Persons with Disabilities”;

WHEREAS, Republic Act No. 7160 known as the Local Government Code of 1991 mandates the devolution of services to the local government units (LGUs);

WHEREAS, there is a need at the community level for an effective approach in providing comprehensive rehabilitation services and in promoting the rights and empowerment of persons with disabilities;

WHEREAS, the Community-Based approach has been successfully demonstrated as an appropriate way of providing comprehensive rehabilitation services to person with disabilities nationwide.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. All Local Government Units (LGU) are hereby encouraged to:

- Adopt the Community-Based Rehabilitation (CBR) Program in delivering services to their constituents with disabilities and to allocate funds to support the program.
- Designate a unit under the office of the local executive to be responsible for the implementation of the Community-Based Rehabilitation program in accordance with the policies and implementing guidelines set by the National Council for the Welfare of Disabled Persons to include the promotion and capability building of the LGUs on CBR.

Section 2. The concerned national government agencies shall provide support to LGUs for the effective and sustained implementation of CBR.

Section 3. All orders, issuances, rules and regulations or any part thereof which are inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

Section 4. This Executive Order shall take effect immediately.

DONE in the City of Manila on this 21st day of June, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 438
APPROVING AND ADOPTING THE MEDIUM-TERM YOUTH
DEVELOPMENT PLAN (MTYDP) 2005-2010

WHEREAS, Art. II, Sec. 13 of the Philippine Constitution provides that: *“the State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs”*;

WHEREAS, the National Youth Commission (NYC) is mandated under RA 8044 also known as the *“Youth in Nation Building Act of 1995”* to plan, implement, and oversee a national integrated youth promotion and development program;

WHEREAS, the Social Development Committee (SDC) - Cabinet Level approved the MTYDP 2005-2010 in its 30 March 2005 meeting and issued SDC Resolution No. 1 Series of 2005, entitled *“Approving the MTYDP 2005-2010 (National Framework for Youth Development)”*;

WHEREAS, the timely, efficient, and effective implementation of the policies, programs, and activities in the MTYDP 2005-2010 are crucial in ensuring that the vision and goals of the plan are realized and will rebound to a better quality of life of the Filipino Youth;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby approve the Medium-Term Youth Development Plan 2005-2010, hereto attached as Annex “A” and made an integral part hereof, and hereby order:

SECTION 1. The Medium-Term Youth Development Plan, hereinafter referred to as the “Plan”, shall serve as the guiding framework for National Government Agencies (NGAs), Local Government Units (LGUs), and Non-Government Organizations (NGOs) in the formulation and implementation of youth-oriented programs and policies.

SECTION 2. The “Plan” shall be adopted by NGAs to institutionalize youth development programs, activities, and projects in their annual planning, programming, and budgeting processes, implementation, and monitoring and evaluation.

SECTION 3. All LGUs are encouraged to adopt the “Plan” in their efforts to address the issues and concerns of the youth at the local level.

SECTION 4. The NYC, in coordination with concerned agencies, shall (a) monitor the implementation of the plan; and (b) conduct periodic assessment and updating of the plan every change in national leadership.

Pursuant to the foregoing, the NYC may call upon the assistance of any government agency, including, government-owned and/or controlled corporations (GOCCs), or any instrumentality, as well as existing inter-agency structures as may be necessary. NGOs and private entities are enjoined to assist and support the implementation of the MTYDP.

SECTION 5. The overall coordination of the MTYDP shall be charged against appropriations of the NYC. The cost of the programs and projects included in the MTYDP shall be charged in the respective appropriations of the lead/concerned agencies.

In view thereof, all-youth-serving agencies shall give priority in their Indicative Budget Ceiling the implementation of Section 31 of the General Appropriations Act of 2005. These agencies are hereby encouraged to include in their succeeding budget proposal, their programs in response to the needs/issues of the youth as identified in the “Plan”.

SECTION 6. *Repealing Clause.*- All orders, issuances, rules and regulations or parts thereof that are inconsistent with this Executive Order are hereby repealed and/or modified accordingly.

SECTION 7. *Effectivity.*- This Order shall take effect immediately.

DONE in the City of Manila, this 27th day of June, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). [*Executive Order Nos.: 401 - 500*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 439
ABOLISHING THE NATIONAL COUNCIL ON FOOD SECURITY AND JOB CREATION

WHEREAS, Executive Order No. 174, series of 2003, created the National Council on Food Security and Job Creation;

WHEREAS, the functions and responsibilities of the National Council on Food Security and Job Creation are already being performed by other agencies of the government;

WHEREAS, this Administration has adopted a policy of streamlining the government bureaucracy to promote economy and efficiency in government;

WHEREAS, Book III, Title III, Chapter 10, Section 31 of the Administrative Code of 1987 authorizes the President to reorganize the administrative structure of the National Government in order to achieve simplicity, economy and efficiency;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the power vested in me by law, do hereby order:

SECTION 1. *Abolition.* – The National Council on Food Security and Job Creation created under Executive Order No. 174, series of 2003, is hereby abolished.

SECTION 2. *Transfer of Properties and Winding Up.* – The Council is hereby given thirty (30) days from the date of effectivity of this Executive Order to transfer all its assets and properties to the Office of the President and to wind up its affairs accordingly.

SECTION 3. *Repealing Clause.* – All executive issuances, orders, rules and regulations or parts thereof inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 4. *Effectivity.* – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 27th day of June, in the Year of our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Reference: Annex A

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 440

**REDUCTION OF THE RATES OF IMPORT DUTY ON CRUDE PETROLEUM OILS AND
REFINED PETROLEUM PRODUCTS UNDER EXECUTIVE ORDER 336, SERIES OF
2004, “MODIFYING THE RATES OF IMPORT DUTY ON CRUDE PETROLEUM OILS
AND REFINED PETROLEUM PRODUCTS UNDER SECTION 104 OF THE TARIFF
AND CUSTOMS CODE OF 1978 (PD 1464), AS AMENDED”**

WHEREAS, Section 6 (Tariff Treatment) of RA 8479, otherwise known as the “*Downstream Oil Industry Deregulation Act of 1998*”, provides: “*Any law to the contrary notwithstanding and starting with the effectivity of this Act, a single and uniform tariff duty shall be imposed and collected both on imported crude oil and imported refined petroleum products at the rate of three percent (3%): Provided, however, that the President of the Philippines may, in the exercise of his powers, reduce such tariff rate when in his judgment such reduction is warranted, pursuant to Republic Act No. 1937, as amended, otherwise known as the “Tariff and Customs Code”: Provided, further, That beginning January 1, 2004 or upon implementation of the Uniform Tariff Program under the World Trade Organization and ASEAN Free Trade Area commitments, the tariff rate shall be automatically adjusted to the appropriate level notwithstanding the provisions under this Section.*”

WHEREAS, Sections 401 and 402 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empower the President of the Republic of the Philippines to increase, reduce, or remove existing rates of import duty, as well as to modify the form of duty and the tariff nomenclature, under Section 104 of the Code;

WHEREAS, the adjustment in import duty per Executive Order No. 336 is only an interim revenue measure until Congress enacts new laws on taxes for petroleum products;

WHEREAS, the Government has a commitment with Association of Southeast Asian Nations (ASEAN) Free Trade Area Council to adjust the levels of duty when new laws on taxes for petroleum products are passed;

WHEREAS, the recently-passed Republic Act No. 9337 (RA 9337), expanding the base of the value-added tax (VAT), will result in increased Government revenues by imposing, among others, VAT on petroleum products;

WHEREAS, the implementation of RA 9337 will result to an increase in retail prices of LPG of over P40.00 per 11-kg cylinder and average of about P1.70/liter for petroleum products despite the rationalization of excise taxes/reduction to zero of the excise tax on socially-sensitive products (kerosene, diesel and fuel oil);

NOW, THEREFORE, I GLORIA MACAPAGAL ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, whose duties were adjusted from three percent (3%) to five percent (5%) by virtue of Executive Order 336, shall be subject to its original rates of

import duty [Most-Favored-Nation (MFN) and ASEAN Free Trade Area (AFTA) – Common Effective Preferential Tariff (CEPT)] indicated in Columns 4 and 5 opposite each article.

SECTION 2. The AFTA-CEPT rates so indicated in Annex “A” shall be accorded to imports coming from ASEAN Member States applying CEPT concession to the same product pursuant to Article 4 of the Agreement on the CEPT Scheme for the ASEAN Free Trade Area (CEPT Agreement), signed on 28 January 1992, and its Interpretative Notes.

SECTION 3. The rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “X X X” shall remain in force and in effect.

SECTION 4. Upon the effectivity of this Executive Order, all articles listed in Annex “A” which are entered and withdrawn from warehouses in the Philippines for consumption shall be levied the MFN rates of duty therein prescribed.

SECTION 5. Upon the effectivity of this Executive Order, all articles listed in Annex “A” which are entered and withdrawn from warehouses in the Philippines for consumption shall be imposed the AFTA-CEPT rates of duty therein prescribed subject to qualification under the Rules of Origin as provided for in the CEPT Agreement.

SECTION 6. All Presidential issuances, administrative rules and regulations or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 7. This Executive Order shall be published in two (2) newspapers of general circulation in the Philippines and shall take effect on date of effectivity of RA 9337 or the VAT Reform Law.

DONE in the City of Manila, this 29th day of June, in the year of Our Lord, Two thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Reference: Annex “A”

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 441
DELEGATING TO THE SECRETARY OF THE DEPARTMENT OF HEALTH
(DOH) THE POWER TO EXERCISE OVERSIGHT FUNCTIONS OVER THE
PHILIPPINE SPORTS COMMISSION (PSC)

WHEREAS, Section 4 of Republic Act No. 6847 creating the Philippine Sports Commission (PSC) provides that the PSC is an attached agency of the Office of the President (OP);

WHEREAS, Section 17, Article VII of the Constitution provides that the President shall have control of all executive departments, bureaus and offices and shall ensure that all laws be faithfully executed;

WHEREAS, paragraph 2, Section 31, Chapter 10, Title III, Book III of Executive Order No. 292 grants to the President continuing authority to reorganize the administrative structure of the Office of the President;

WHEREAS, to better monitor the health and fitness of sports athletes of the country, it is imperative to delegate oversight functions to the Secretary of the DOH over the PSC;

NOW, THEREFORE, I GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Delegation to the Secretary of the DOH. The power of the President under Section 17, Article VII of the Constitution and as administrative head of the Government to exercise oversight function over the Philippine Sports Commission (PSC), is hereby delegated to the Secretary of the Department of Health (DOH).

SECTION 2. Repealing Clause. All executive orders, issuances, rules and regulations, or parts thereof inconsistent with the provisions of this Order are hereby repealed, amended or modified accordingly.

SECTION 3. Effectivity. This Executive Order shall take effect immediately.

Manila, June 27, 2005

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 442

**DESIGNATING THE PHILIPPINE INTERNATIONAL TRADING CORPORATION AS THE LEAD
COORDINATING AGENCY TO MAKE QUALITY MEDICINES AVAILABLE, AFFORDABLE
AND ACCESSIBLE TO THE GREATER MASSES OF FILIPINOS**

WHEREAS, lowering the cost of quality and essential medicines and making these medicines available and accessible to the greater masses of Filipinos is a vital and indispensable pillar of the Government's Pro-Poor Agenda;

WHEREAS, in keeping with this commitment, the Government has now set as one of its main goals under the Medium Term Philippine Development Plan (MTPDP) for 2005-2010 the following specific provision embodied in Goal 3 (Improved Accessibility and Affordability of Essential Services):

“Reduce by half the cost of medicines through increased and improved distribution, importation through PITC and local sourcing, partnership with the pharmaceutical industry, resolution of patent issues, increased use of generic products, community based initiatives..”

WHEREAS, the Philippine International Trading Corporation (PITC), by virtue of E.O. 345 (s. 2004), has been placed directly under the Office of the President to ensure the effective and efficient implementation of this priority program under the President's 10-Point Legacy;

WHEREAS, it is necessary to define the key responsibilities of concerned government agencies and offices as well as coordinate their efforts in making quality, essential and life-saving medicines available, affordable and accessible to the greater masses of Filipinos and lowering the cost of medicines by at least half of their current prices;

WHEREAS, under the Administrative Code of 1987, the President has the continuing authority to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Lead Coordinating Agency.* - As the lead coordinating agency to implement this vital government program to make quality and essential medicines available, affordable and accessible to the public, the PITC, in collaboration with the Department of Health (DOH), the Bureau of Food and Drugs (BFAD) and the Philippine Health Insurance Corporation (PHIC), shall:

- a) Undertake the procurement, sourcing and marketing of quality, essential and low-priced generic medicines needed by the Filipino consumers through parallel drug importations and local sourcing of medicines from reputable and reliable suppliers and ensuring the widest distribution of these medicines nationwide;
- b) Establish retail outlets nationwide and supply these outlets with low-priced quality medicines;

- c) Develop a stronger partnership with the private sector such as non-governmental organizations, cooperatives, local drug manufacturers and suppliers to ensure a unified approach/strategy for this program; and
- d) Issue joint orders, guidelines or related issuances as may be necessary to carry out the objectives of this program.

SECTION 2. *Collaborating Agencies.* - The DOH and the BFAD shall extend their full support in carrying out the objectives of this program, particularly in the following areas:

- a) Drawing up an expanded list of medicines prioritizing those listed in the Philippine National Drugs Formulary (PNDF) that will be sourced and supplied by PITC under this program and facilitating the registration of new products to be sourced/imported by PITC, subject to BFAD's capacity;
- b) Ensuring the quality of the medicines sourced and imported by PITC;
- c) Establishing express lanes for the licensing of retail outlets subject to BFAD's capacity; and
- d) Making available PNDP drugs and medicines in DOH-accredited hospitals and the *Botika ng Barangays* and providing advocacy and networking for the program.

The Philippine Charity Sweepstakes Office (PCSO) shall likewise provide the necessary financial assistance and support to the PITC in the implementation of this vital government program.

SECTION 3. *Participation of Other Government Agencies and Offices including Local Government Units.* - Government agencies and offices including local government units are encouraged to participate and support this government program by availing of and purchasing low-priced and quality medicines obtainable from PITC for their respective social and health projects.

SECTION 4. *Repealing Clause.* - All executive orders, issuances, orders, rules and regulations which are inconsistent with this Executive Order are hereby superseded, revoked, amended or modified accordingly.

SECTION 5. *Separability Clause.* - If any provision of this Executive Order shall be held unconstitutional or invalid, the remainder thereof not otherwise affected shall remain in full force and effect.

SECTION 6. *Effectivity.* - This Executive Order shall take effect immediately.

DONE in the City of Manila, this 4th day of July, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 443

EXEMPTING DONATED USED MOTOR VEHICLES TO LOCAL GOVERNMENT UNITS FROM THE PROHIBITION ON IMPORTATION OF USED MOTOR VEHICLES UNDER ARTICLE 2, SECTION 3 OF EXECUTIVE ORDER NO. 156 (S. 2002) ENTITLED “*PROVIDING FOR A COMPREHENSIVE INDUSTRIAL POLICY AND DIRECTIONS FOR THE MOTOR VEHICLE DEVELOPMENT PROGRAM AND ITS IMPLEMENTING GUIDELINES*” AND FROM THE IMPOSITION OF SPECIFIC ADDITIONAL DUTY UNDER EXECUTIVE ORDER NO. 418 (S. 2005) ENTITLED “*MODIFYING THE TARIFF NOMENCLATURE AND RATES OF IMPORT DUTY ON USED MOTOR VEHICLES UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978 (PRESIDENTIAL DECREE NO. 1464, AS AMENDED)*”

WHEREAS, on 12 December 2002, the President issued Executive Order No. 156 in order to provide for a comprehensive industrial policy and directions for the motor vehicle development program of the government;

WHEREAS, Executive Order No. 156 (s. 2002) bans the importation of all types of used motor vehicles and parts and components, subject to certain exceptions provided for therein;

WHEREAS, Executive Order No. 156 (s. 2002) recognizes the need to rationalize the importation of used motor vehicles taking into consideration the needs of local government units, small and medium enterprises and the public transport sector;

WHEREAS, on 4 April 2005, the President issued Executive Order No. 418 (s. 2005) which, among others, imposes an additional specific duty of P500,000.00 on importations of used motor vehicles listed therein;

WHEREAS, budgetary constraints of local government units prevent them from purchasing sufficient number of motor vehicles that are essential to the delivery of basic services to their respective areas;

WHEREAS, local government units should be encouraged to look for alternative ways of procuring motor vehicles that are essential for the delivery of basic services to their constituents, including procurement of donations thereof from well-meaning and generous donors from other countries;

WHEREAS, donations of used motor vehicles to local government units will be rendered nugatory if these local government units will be required to pay additional specific duty of P500,000.00 as provided under E.O. No. 418 (s. 2005);

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Additional Exemption to the Ban on Importation of Used Motor Vehicles under Executive Order No. 156 (s. 2002). – To address the need for fast and efficient delivery of services and taking into consideration their general budgetary constraints, local government units are hereby allowed to import used motor vehicles thru donation subject to the following conditions:

- a. The used motor vehicles shall be certified as roadworthy and emission compliant by the country of origin. The Certificate of Roadworthiness and Emission Compliance shall be in English

or shall be accompanied by an English translation, if originally issued in a language other than English, and shall be duly authenticated by the Philippine Embassy or Commercial Attaché in the country of origin.

b. The used motor vehicles must be left-hand drive.

c. The vehicle classification shall not include luxury vehicles. For purposes of this Executive Order, a luxury vehicle is defined as (a) any passenger motor vehicle priced in the local market at P1,300,000.00 or more at the time of acquisition; or (b) any passenger motor vehicle with the following engine displacement specifications: (i) Car (sedan or hatchback) with an engine displacement exceeding 2200 cc. if gasoline-fed or 3000 cc. if diesel-fed; (ii) Passenger van or pick-up with an engine displacement exceeding 2200 cc if gasoline-fed or 3000 cc. if diesel-fed; (iii) Passenger wagon with an engine displacement exceeding 1800 cc. if gasoline-fed or 2500 cc. if diesel-fed; and (iv) Sport utility vehicle (SUV) with an engine displacement exceeding 2700 cc. if gasoline-fed or 3000 cc. if diesel-fed.

d. The donated used motor vehicles must be in reasonable quantity taking into consideration the population, area and the needs of the local government unit concerned.

e. The ownership and registration of the donated used motor vehicles shall not be disposed of, either by public auction or negotiated sale, within five (5) years from the importation thereof. In case the motor vehicle is sold within the five (5)-year period, the purchasers or recipients shall be considered the importers thereof, and shall be liable for duties and taxes due thereon.

f. The donation shall be accompanied by a Deed of Donation naming the specific local government unit as donee.

g. The Sangguniang Panlalawigan, Sangguniang Panglungsod or Sangguniang Bayan concerned shall pass a resolution accepting the donation.

SECTION 2. Additional Exemption from the Imposition of Additional Specific Duty under Section 1 of Executive Order No. 418 (s. 2005). - In addition to used motor vehicles specifically listed under Article 2, Section 3.1 of Executive Order No. 156 (s. 2002) as exempt from the general import prohibition, qualified importations by local government units under this executive order shall not be covered by the imposition of additional specific duty under Section 1 of Executive Order No. 418 (s. 2005).

SECTION 3. Penalty. - Used motor vehicles imported in violation of the provisions of this executive order shall be subject to the penalties provided for in Section 5 of Executive Order No. 156 (s. 2002).

SECTION 4. Implementing Guidelines. - The Inter-Agency Committee on Used Trucks and Engines created under Executive Order No. 782 (s. 1982), as amended, is hereby directed to formulate and issue the necessary amended guidelines to give effect to this executive order. The Inter-Agency Committee on Used Trucks and Engines may enlist the assistance of other government agencies and/or private institutions in the effective implementation of this executive order.

SECTION 5. Repealing Clause. - All executive issuances, orders, rules and regulations or parts thereof inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 6. Effectivity. - This Executive Order shall take effect fifteen (15) days after publication in at least two (2) newspapers of general circulation in the Philippines.

DONE in the City of Manila, this 5th day of July, in the Year of our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 444

DIRECTING THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT TO CONDUCT A STRATEGIC REVIEW ON THE CONTINUING DECENTRALIZATION AND DEVOLUTION OF SERVICES AND FUNCTIONS OF THE NATIONAL GOVERNMENT TO LOCAL GOVERNMENT UNITS IN SUPPORT OF THE RATIONALIZATION PROGRAM OF THE FUNCTIONS AND AGENCIES OF THE EXECUTIVE BRANCH

WHEREAS, the President has directed a rationalization program of all functions and agencies of the Executive Branch through Executive Order No. 366 dated 04 October 2004 as part of the National Government's efforts to address the challenges of increasing services amidst fiscal and budgetary constraints;

WHEREAS, to attain improved government performance, there is a need to institute reforms that would transform the bureaucracy into an efficient and results-oriented structure;

WHEREAS, local government units (LGUs) are the frontline agencies of government mandated to deliver basic services to the people and serve as the National Government's main partner and implementing arm of its productivity and development programs;

WHEREAS, Section 3(h) of the Local Government Code of 1991 provides for a continuing mechanism to enhance local autonomy not only by legislative enabling act but also by administrative and organizational reforms;

WHEREAS, LGUs through their respective Leagues have expressed unequivocal and formal support to the President's 10-point agenda of government and relieving the National Government's fiscal burden through good local governance and efficient delivery of basic services.

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Strategic Review. The Department of the Interior and Local Government (DILG) is hereby directed to conduct a strategic review on the continuing decentralization and devolution of services and functions of all departments, agencies and bureaus, including corporations, boards, task forces, councils and commissions of the Executive Branch, for purposes of:

- a. Supporting the objectives of the National Government's rationalization policy as provided for under EO 366;
- b. Identifying functions, services, programs, projects, and activities of national government agencies and offices that duplicate or unnecessarily overlap with those exercised by the LGUs that could further be devolved or decentralized without undermining their vital/core services and mandates and consistent with the provisions of the Local Government Code;
- c. Determining the extent of the devolution of powers and transfer of assets, resources and personnel to local governments by national government agencies and offices as identified to be devolved under the Local Government Code in order to achieve real fiscal autonomy;

- d. Submitting recommendations and courses of actions, including policy and administrative proposals, to implement findings and results of the strategic review.

Section 2. *Duties and Responsibilities.* To fulfill its mandate under this Executive Order, the DILG shall have, among others, the following duties and responsibilities:

1. To call upon all national and local agencies for technical, policy, documentary, information and resource assistance and support, in the conduct of its strategic review;
2. Initiate and conduct national and regional public forums, round-table discussions and consultations relating to issues, objectives and purposes of the strategic review;
3. Identify and sponsor broad, extensive and deliberate policy and institutional studies, researches, surveys and polls on key issues and concerns relating to the strategic review;
4. Initiate partnership and coordinating activities with private sector groups, donor agencies and projects, and other relevant external bodies; and
5. Initiate and conduct public information, education and communication activities to generate awareness and understanding, feedback and support to the strategic review outputs and recommendations.
6. Submit its recommendation, outputs, regular reports and updates to the Office of the President and relevant national agencies.
7. Perform such other functions as may be directed by the President.

Section 3. *Consultants.* The DILG may engage the services of individuals and institutional experts and specialists from both national and local agencies and bodies as resource persons.

Section 4. *Funding.* The budget needed to carry out the provisions of this Executive Order shall be taken from available funds of the DILG. Other sources of funds such as grants, donations and other forms of technical and resources assistance from donor agencies, projects and other public or private entities may be tapped and facilitated by the DILG subject to regular auditing guidelines and procedures.

Section 5. *Repealing Clause.* All orders, rules, regulations and issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

Section 6. *Effectivity.* This Executive Order shall take effect immediately.

Done in the City of Manila, this 5th day of July, in the Year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 445

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE PREFERENTIAL TARIFF RATES ON CERTAIN PRODUCTS UNDER THE ASEAN INDUSTRIAL COOPERATION (AICO) SCHEME, IN FAVOR OF PANASONIC MANUFACTURING PHILIPPINES CORPORATION (AICO CERTIFICATE NO. MATSUSHITA/2004/2)

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on the ASEAN Industrial Cooperation Scheme (AICO) signed in Singapore on 27 April 1996;

WHEREAS, the Philippines is a signatory to the Protocol to Amend the Basic Agreement on the ASEAN Industrial Cooperation Scheme signed in Singapore on 21 April 2004;

WHEREAS, the Philippines is a participating country in the approved AICO Arrangements of Panasonic Manufacturing Philippines Corporation along with Malaysia;

WHEREAS, under the Panasonic AICO Certificate of Eligibility (COE) No. Matsushita /2004/2, the Panasonic Manufacturing Philippines Corporation will import gas stoves, fully automatic washing machines, and vacuum cleaners from Matsushita Electric Company (Malaysia) Bhd.; split type air conditioners from Panasonic HA Air-Conditioning (M) Sdn. Bhd.; and colour television sets from Panasonic AVC Networks Kuala Lumpur Malaysia Sdn. Bhd. In exchange, Matsushita Electric Company (Malaysia) Bhd. and Panasonic HA Air-Conditioning (M) Sdn. Bhd. will import oven toasters and window type air-conditioners, respectively, from Panasonic Manufacturing Philippines Corporation;

WHEREAS, AICO Certificate of Eligibility No. Matsushita /2004/2 was issued on 30 March 2005, in favor of the participating companies in the Matsushita/Panasonic AICO Arrangement;

WHEREAS, in consonance with Articles 5 and 7 of the Basic Agreement of the AICO Scheme, as amended participating companies in the approved Matsushita/Panasonic AICO Arrangements shall qualify for 0% preferential tariff rates to be extended by Malaysia and the Philippines as participating countries.

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rate of 0% on units as specified in Column 3 thereof.

SECTION 2. The AICO rate provided in Annex “A” shall be accorded to the AICO entity in Malaysia (Matsushita Electric Company (Malaysia) Bhd.; Panasonic HA Air-Conditioning (M) Sdn. Bhd.; and Panasonic AVC Networks Kuala Lumpur Malaysia Sdn. Bhd.).

SECTION 3. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annex “A” which are entered or withdrawn from warehouses in the Philippines for consumption shall pay the applicable AICO preferential tariff rates specified under Section 1 hereof, subject to qualification under the Rules of Origin for the CEPT, as evidenced by the Certificate of Origin-Form “D”.

SECTION 4. All presidential issuances, administrative rules and regulations or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 5. This Executive Order shall take effect immediately after its publication in two (2) newspapers of general circulation in the Philippines.

DONE in the City of Manila, this 5th day of July, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Reference: Annex “A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 446
TASKING THE SECRETARY OF LABOR AND EMPLOYMENT TO OVERSEE AND
COORDINATE THE IMPLEMENTATION OF VARIOUS INITIATIVES FOR
OVERSEAS FILIPINO WORKERS (OFWs)

WHEREAS, the provision of opportunities for employment is among the priorities of the Administration under its 10-point Agenda for Governance;

WHEREAS, the development of Small and Medium Enterprises (SMEs), which comprise about 98% of the country's business establishments, is one of the major strategies of the Administration to create jobs, generate higher incomes and bring about more balanced economic growth and social equity;

WHEREAS, the remittances of Overseas Filipino Workers (OFWs), recognized as the country's "modern-day heroes", constitute a critical flow of foreign currency into the Philippine economy;

WHEREAS, the channeling of remittances to national savings or domestic investments, particularly in SMEs, can lead to greater capital accumulation and multiplier effects;

WHEREAS, the synchronization of existing programs for OFWs that are being implemented by different government agencies can lead to a synergy that can most effectively and efficiently serve the current development objectives of government;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Lead Agency. – The Department of Labor and Employment (DOLE) shall be the lead agency in the implementation of various initiatives for Overseas Filipino Workers (OFWs). The Secretary of Labor and Employment is hereby tasked to oversee and coordinate these initiatives.

SEC. 2. Support Agencies. – The DOLE Secretary shall coordinate, integrate, design and endorse appropriate actions to implement the general work program for OFWs with the following:

- a. Secretary, Department of Trade and Industry
- b. Secretary, Department of Foreign Affairs
- c. Secretary, Department of Finance
- d. Governor, Bangko Sentral ng Pilipinas
- e. Presidential Adviser for Overseas Filipino Communities

SEC. 3. Establishment of a Technical Working Group. – There shall be a Technical Working Group (TWG), established and maintained to provide administrative and technical support to the DOLE Secretary. The TWG shall consist of the representatives from the core agencies of the DOLE and the support agencies, as well as other concerned agencies. There shall be organized four (4) sub-groups, which shall act as quick response teams for issues/queries in their respective areas of responsibility.

These sub-groups will focus on the following:

- Bank-related initiatives:

Chair : Bangko Sentral ng Pilipinas
Vice-Chair : Department of Finance
Members : Land Bank of the Philippines
Development Bank of the Philippines
Bankers Association of the Philippines
Association of Bank Remittance Officers, Inc.
Rural Bankers' Association of the Philippines
Chamber of Thrift Banks

- SME-related initiatives:

Chair : Department of Trade and Industry
Vice-Chair : Department of Labor and Employment
Members : Technology and Livelihood Resource Center
Technical Education and Skills Development Authority
National Livelihood Support Fund

- OFW and labor-related initiatives:

Chair : Department of Labor and Employment
Vice-Chair : Department of Foreign Affairs
Members : Overseas Workers Welfare Administration
Philippine Overseas Employment Administration
Office of Presidential Adviser on Overseas Filipino Communities
National Statistics Office
National Statistics Coordination Board
Bureau of Labor Employment Statistics

- Information Dissemination and OFW Response Monitoring:

Chair : Department of Trade and Industry
Vice-Chair : Overseas Workers Welfare Administration
Members : Philippine Information Agency
International Labor Affairs Service
Philippine Overseas Employment Administration
Bureau of Labor and Employment Statistics
Philippine Embassies in countries where OFWs are prevalent

SEC. 4. Functions. – The DOLE Secretary, with the help of support agencies, shall be tasked with the following functions:

- a. Design an overall framework or general work program in support of the objectives identified in various government agencies and multi-sectoral institution for the OFWs;
- b. Consider the proposals submitted as well as adopt policies/initiatives recommended by the TWG;
- c. Endorse to the Legislative and Executive Development Advisory Council (LEDAC) the appropriate actions/recommendations that require legislation to implement the general work program; and
- d. Perform such other functions as may be necessary and appropriate to achieve its objectives.

SEC. 5. Functions of the TWG. – The TWG are tasked with the following functions:

- a. Formulate recommendations in addressing problems and issues related to the objectives of the various initiatives for OFWs;
- b. Assess and evaluate available OFW remittance statistics/indicators as inputs to the development and implementation of the remittance profiling survey project;
- c. Coordinate various incentive programs being offered by the local private banks for OFWs through private sector institutions such as the Bankers' Association of the Philippines (BAP) and Association of Bank Remittance Officers, Inc. (ABROI);
- d. Evaluate and coordinate with the GFIs in exploring the possibility of opening in OFW savings window that will provide more savings incentives for OFWs;
- e. Coordinate short-term and long-term actions/plans identified;
- f. Endorse to the DOLE Secretary the appropriate proposals/plans identified; and
- g. Perform such other functions as may be necessary and appropriate to achieve its objectives.

SEC. 6. Meetings. The DOLE Secretary shall meet with the support agencies at least once a month or as the need arises.

SEC. 7. Funding. The DOLE and the support agencies shall cost-share the operations, according to their respective mandates and roles under the Overseas Financial Investors Program, and/or as may be agreed upon among themselves. Funding for coordination and implementation of various initiatives for OFWs by individual agencies shall also be drawn from their respective appropriations.

SEC. 8. Reportorial. The DOLE Secretary shall submit the Status Report of operationalization and initial undertakings within 30 days from the effectivity of this Order. Thereafter, the quarterly Reports of Accomplishments shall be submitted to the Office of the President.

SEC. 9. Abolition and Repeal. All other orders, rules and regulations and other issuances, or parts thereof, which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SEC. 10. Effectivity. This Order shall take effect immediately upon approval.

DONE in the City of Manila, this 12th day of July, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 447

**REITERATING THE RATIONALIZED ALLOCATION OF FUNDS FROM PCSO FOR THE
GREATER MEDICARE ACCESS (GMA) PROGRAM AND AVIAN INFLUENZA PROGRAM
AND ALLOCATING ADDITIONAL PCSO FUNDING FOR THE TOP FIVE HEALTH
PRIORITY PROGRAMS OF THE GOVERNMENT**

WHEREAS, in 2004, Executive Order No. 280 was issued to facilitate the implementation of preemptive, active measures by the Department of Health (DOH) and other concerned agencies to control or limit the spread and incidence of Avian Influenza in the country;

WHEREAS, pursuant to Section 7 of Executive Order No. 280 (s. 2004), the PCSO allocated Two Hundred Fifty Million Pesos (₱250,000,000) Pesos to support the DOH-led efforts against Avian Influenza, out of which the amount of Twenty Million Pesos (₱20,000,000) had been released;

WHEREAS, on January 21, 2004, the PCSO entered into an Agreement with the Philippine Health Insurance Corporation (Philhealth) and the Department of Budget and Management through Executive Order No. 276 (s. 2004) to provide indigent families nationwide access to affordable, acceptable, quality health care services;

WHEREAS, the millions of families covered under the enhanced Greater Medicare Access (GMA) Program continuously avail of the in-patient or hospitalization benefits under the said Program;

WHEREAS, there is a need to improve access to and bring down the prices of medicines commonly bought by the poor through the implementation of the Low Priced Medicines Program that seeks to implement various strategies such as, and not limited to, the establishment of Botika-ng-Barangays;

WHEREAS, a total of Two Hundred Million Pesos (₱200,000,000.00) was allotted by the PCSO for the Low Priced Medicines Program by virtue of 2 Memoranda of Agreement of One Hundred Million Pesos (₱100,000,000.00) each, of which the amount of Forty Six Million Six Hundred Seventy Thousand Thirty Eight and 70/100 Pesos (₱46,670,038.70) had been released;

WHEREAS, initiatives for addressing access issues to low-cost medicines in the private sector is addressed by the Botika-ng-Barangay Program of the Philippine International Trading Corporation;

WHEREAS, the government adopted the Safe Motherhood and Responsible Parenthood Program to promote family planning as an essential public health service, and to dramatically improve the access of men, women, and couples to family planning and safe motherhood services;

WHEREAS, there is a need to rationalize the allocation of funds from the PCSO for the Greater Medicare Access (GMA) and the Avian Influenza Programs, and to further allocate funds for the top priority health programs of the government, in order to protect and promote the health of the people and instill health consciousness among them, pursuant to Article II, Section 15 of the Constitution;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. PCSO shall allocate a total of ONE BILLION FOUR HUNDRED SEVENTY FIVE MILLION PESOS (₱1,475,000,000.00) to fund the top five health priority programs of the government as follows:

- a) One Billion One Hundred Twenty Five Million Pesos (₱1,125,000,000.00) for Philhealth to finance the Greater Medicare Access (GMA) Program;
- b) One Hundred Million Pesos (₱100,000,000.00) to finance the Low Priced Medicines Program;
- c) One Hundred Million Pesos (₱100,000,000.00) to finance the Safe Motherhood and Responsible Parenthood Program;
- d) One Hundred Million Pesos (₱100,000,000.00) to finance the Botika ng Bayan Program; and
- e) Fifty Million Pesos (₱50,000,000.00) to finance the Avian Influenza Program.

SECTION 2. The enhanced Greater Medicare Access (GMA) Program implemented in partnership with Philhealth, having been identified as one of the urgent health programs, shall be a recipient of PCSO funding as payment for the LGU premium counterpart for the enrollment of qualified indigent families.

SECTION 3. The Low Priced Medicines Program, having been identified as another urgent health program, shall be a recipient of the funds for use in making low cost medicines available for the poor through, but not limited to, establishment of Botika-ng-Bayan.

SECTION 4. The Safe Motherhood and Responsible Parenthood Program, having been identified as another urgent health program, shall be a recipient of the PCSO funding.

SECTION 5. All executive Orders, laws, issuances, rules and regulations, or parts thereof, which are inconsistent with the provisions of this Order are hereby repealed or amended accordingly.

SECTION 6. This Executive Order shall take effect immediately.

DONE in the City of Manila, Philippines, this 12th day of July, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 448

**MODIFYING THE RATES OF IMPORT DUTY OF CERTAIN ARTICLES UNDER THE TARIFF
AND CUSTOMS CODE OF 1978 (PRESIDENTIAL DECREE NO. 1464, AS AMENDED),
IN ORDER TO IMPLEMENT THE ASEAN INTEGRATION SYSTEM OF PREFERENCES
(AISP) PACKAGE OF THE PHILIPPINES**

WHEREAS, at the 4th ASEAN Informal Summit held in Singapore in November 2000, the ASEAN Heads of Government/State agreed on the Initiative for ASEAN Integration (IAI) in order to narrow the development gap between the older and newer members of ASEAN and to enhance the new members integration with the rest of the ASEAN;

WHEREAS, to implement the decision of the ASEAN Heads of Government/State, the ASEAN Economic Ministers (AEM), at their meeting in Siemrap, Cambodia on 3-5 May 2001, decided to implement the ASEAN GSP Scheme (now AISP) on a bilateral basis;

WHEREAS, the preference is a unilateral offer made by preference-giving countries (Brunei, Indonesia, Malaysia, Philippines, Singapore and Thailand) to the preference-receiving countries (Cambodia, Lao PDR, Myanmar and Vietnam);

WHEREAS, on 28 June 2005, the NEDA Board approved the proposed elimination of the tariff duty on products listed in “Annex A” imported from Cambodia, Lao PDR, Myanmar and Vietnam under the AISP.

WHEREAS, Section 402 of the Tariff and Customs Code of 1978, as amended, empowers the President, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty as well as to modify the form of duty.

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in “Annex A” (Articles Granted Concession Under the ASEAN Integration System of Preferences (AISP) Package of the Philippines) hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the AISP rate of duty indicated in Column 4 of “Annex A” when imported from Cambodia, Lao PDR, Myanmar and Vietnam (preference-receiving countries) indicated in Column 5 of “Annex A”.

SECTION 2. In the event that any subsequent changes are made in the basic (MFN) Philippine rate of duty on any of the articles listed in “Annex A” to a rate lower than the rate prescribed in Column 4 of “Annex A”, such article shall automatically be accorded the corresponding reduced duty.

SECTION 3. From the date of effectivity of this Order, all articles listed in “Annex A” entered into or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed subject to qualification under the Rules of Origin of forty percent (40%) single country content (Cambodia, Lao PDR, Myanmar and Vietnam) as provided for in the Agreement on the CEPT Scheme for the AFTA signed on 28 January 1992.

SECTION 4. All presidential issuances, administrative rules and regulations, or parts thereof, which are contrary or inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 5. This Executive Order shall take effect immediately following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 22nd day of July, in the year of our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Reference: Annex “A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 449
MODIFYING THE RATE OF IMPORT DUTY ON BIOETHANOL FUEL
UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978
(PRESIDENTIAL DECREE NO. 1464), AS AMENDED

WHEREAS, the government has adopted an energy independence agenda in view of increasing world prices of imported fuel oil;

WHEREAS, in support of government energy independence agenda, the Department of Energy is pursuing a program promoting the use of bioethanol as a blend for gasoline;

WHEREAS, since there is currently no local producer of bioethanol fuel, a reduction in tariff on subject article would assure the price competitiveness of ethanol-blended gasoline vis-à-vis other gasoline products;

WHEREAS, Section 401 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empowers the President of the Republic of the Philippines to increase, reduce, or remove existing rates of import duty, as well as to modify the form of duty and the tariff nomenclature under Section 104 of said Code;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the Most-Favoured-Nation (MFN) rate of import duty in accordance with the schedule indicated opposite each article.

SECTION 2. The nomenclature and rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “x x x” shall remain in force and in effect.

SECTION 3. Upon the effectivity of this Executive Order, the articles specifically listed in Annex “A” which are entered and withdrawn from warehouses in the Philippines for consumption shall be levied the MFN rates of duty therein prescribed.

SECTION 4. All presidential issuances, administrative rules and regulations of parts thereof, which are contrary to or inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 5. This Executive Order shall take effect thirty (30) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 22nd day of July, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Reference: Annex “A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 450
MODIFYING THE RATES OF IMPORT DUTY ON CERTAIN ARTICLES
UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978
(PRESIDENTIAL DECREE NO. 1464), AS AMENDED

WHEREAS, it is the policy of the government to promote the development of sustainable, prosperous and internationally competitive domestic industries;

WHEREAS, certain manufacturing industries would gain greater competitiveness from a reduction in the cost of their imported inputs;

WHEREAS, Section 401 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empowers the President of the Republic of the Philippines to increase, reduce, or remove existing rates of import duty, as well as to modify the form of duty and the tariff nomenclature under Section 104 of said Code;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the Most-Favoured-Nation (MFN) rate of import duty in accordance with the schedule indicated opposite each article.

SECTION 2. The nomenclature and rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “x x x” shall remain in force and in effect.

SECTION 3. Upon the effectivity of this Executive Order, the articles specifically listed in Annex “A” which are entered and withdrawn from warehouses in the Philippines for consumption shall be levied the MFN rates of duty therein prescribed.

SECTION 4. All presidential issuances, administrative rules and regulations, or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 5. This Executive Order shall take effect thirty (30) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 22nd day of July, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Reference: Annex “A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 451
EXTENDING FURTHER THE DURATION OF OPERATION OF THE PRESIDENTIAL
MIDDLE EAST PREPAREDNESS COMMITTEE (PMEPC) TO DECEMBER 31, 2005

WHEREAS, the term of the Presidential Middle East Preparedness Committee (PMEPC) expires on June 30, 2005 pursuant to Executive Order (EO) No. 401 dated January 20, 2005;

WHEREAS, tensions in the Middle East continue to exist particularly in Iraq, which pose a serious threat to the security of Filipino overseas workers in that area;

WHEREAS, the safety and welfare of some 1.4 million overseas Filipino workers in the Middle East is of primordial concern to the national government;

WHEREAS, there is still a need for the PMEPC to continue monitoring developments and update contingency measures to ensure the safety of Filipinos in Iraq and in the Middle East;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has the continuing authority to reorganize the functions of the Office of the President;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the extension of operation of the PMEPC to December 31, 2005 or unless otherwise directed by the President.

SECTION 1. Functions – The PMEPC shall continue to exercise its functions and responsibilities as provided under EO 159 dated December 23, 2003, in relation to EO 194 and EO 195, both dated April 14, 2003, until December 31, 2005.

SEC. 2. Composition – The membership of the Committee, as enumerated under Section 3 of EO 159, is further expanded to include representatives from:

The Overseas Workers' Welfare Administration;
The Philippine Overseas Employment Administration;
The Office of the Usec. For Migrant Workers Affairs, DFA;
The Office of the Usec. For Special Concerns, DFA; and
The Office of Middle East and African Affairs, DFA.

SEC. 3. Funding – The Committee shall be provided an additional funding allocation of **FOUR MILLION PESOS (P 4,000,000.00)** for its administrative and operational expenses to be provided by the Office of the President. Additional financial requirements that may be needed by the Committee shall be sourced out by the Department of Budget and Management from available funds of the concerned agencies forming part of the PMEPC, subject to the usual government accounting and auditing rules and regulations.

SEC. 4. Repeal – All other rules, regulations and issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 5. Effectivity – This Order shall take effect immediately.

DONE in the City of Manila, this 28th day of July, in the year of our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 452
DIRECTING THE ENROLLMENT OF 2.5 MILLION INDIGENT FAMILIES
PURSUANT TO E.O. 276 S. 2004 AND FOR OTHER PURPOSES

WHEREAS, Section 11, Article XIII of the 1987 Constitution declares that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other services available to all the people at an affordable cost;

WHEREAS, Republic Act No. 7875, as amended, otherwise known as the National Health Insurance Act of 1995, established the National Health Insurance Program (NHIP) to be administered by the Philippine Health Insurance Corporation (Philhealth) to operationalize the aforesaid constitutional mandate by providing health insurance coverage and ensuring affordable, acceptable, available and accessible health care services for all citizens of the Philippines;

WHEREAS, Administrative Order No. 277 (s. 1996) directs concerned government agencies to ensure the immediate and effective implementation of the NHIP;

WHEREAS, pursuant to R.A. 7875, as amended, and its implementing rules and regulations, the premium contributions for the indigent members of the NHIP are subsidized jointly by the National Government (NG) and the Local Government Units (LGU) where the indigent member resides;

WHEREAS, Executive Order No. 276 (s. 2004) mandated the Philippine Charity Sweepstakes Office (PCSO), the Department of Budget and Management (DBM), Philhealth and LGUs to accelerate the coverage of indigent families through the “*Enhanced PCSO Greater Medicare Access Program*”, which covered approximately 4.3 million indigent families nationwide;

WHEREAS, continuing to provide affordable and accessible health care services will greatly benefit the public who are unable to avail of quality medical assistance;

WHEREAS, certain LGUs are financially unable to provide counterpart subsidies of contribution for the renewal of the coverage of their constituent indigent families;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Philhealth shall provide health insurance coverage to 2,500,000 indigent families subject to the implementing rules and regulations of this Order to be promulgated by Philhealth within fifteen (15) days from the effectivity hereof.

SECTION 2. The DBM shall authorize the release of funds from any available sources, strictly in accordance with existing laws and regulations, in the amount of ONE BILLION AND FIVE HUNDRED MILLION PESOS (Php 1,500,000,000.00) to subsidize the health insurance coverage of the indigent families under Section 1 of this Order.

SECTION 3. Given the operational manpower and other resource requirements needed to implement this Order, Philhealth is hereby exempted from the pertinent provisions of Administrative Order No. 103 (s. 2004), provided, that the exemption shall be restricted to the essential operational manpower and resource requirements necessary to implement the activity specified under Section 1

of this Order. Further, Philhealth may defer the adoption of Executive Order 366 (s. 2004) until the implementation of the said activity, provided, that it shall adopt measures to efficiently and effectively deliver quality public services pursuant to its mandate and mission and at the same time improve its financial viability.

Philhealth shall submit regular reports to the Office of the President to monitor the implementation of the Administrative Order No. 103 (s. 2004) and Executive Order 366 (s. 2004) exemptions. The exemptions under this Order shall only continue for the duration of the activity.

Section 4. All orders, rules, regulations, issuances, or parts thereof, which are inconsistent with this Order are hereby repealed or modified accordingly.

Section 5. This Executive Order shall take effect immediately following its publication in the Official Gazette or in two (2) newspapers of general circulation.

Done in the City of Manila, this 30th day of July, in the year of our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 453
CREATING A CONSULTATIVE COMMISSION TO PROPOSE THE REVISION OF THE 1987
CONSTITUTION IN CONSULTATION WITH VARIOUS SECTORS OF SOCIETY

WHEREAS, our present political and economic systems need structural reforms to respond to inward and global changes to make them relevant and competitive;

WHEREAS, applying the appropriate solutions to our chronic political, economic and cultural problems depends, to a large extent, on effective and accountable political institutions, a decentralized government that is more responsive and accountable to the people and allows them to participate effectively in its decisions and the making of social and economic policies;

WHEREAS, Constitutional reform is a public commitment the President made in 2003-2004, subsequently incorporated in the Medium Term Public Investment Program, 2005-2010, which she deems to be of the highest priority as stated in her State of the Nation Address on July 25, 2005;

WHEREAS, there is a need to bring the great charter debate to the people and involve them in the study and formulation of amendments or revisions to the 1987 Constitution;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me, do hereby order:

SECTION 1. Creation and Mandate. – There is hereby created a Consultative Commission which shall conduct consultations and studies and propose amendments and revisions to the 1987 Constitution, principally the proposals to shift from the presidential-unitary system to a parliamentary-federal system of government, to refocus economic policies in the Constitution to match the country's vision for global competitiveness, and to review economic policies which tend to hinder the country's global competitiveness and adversely affect the people's welfare.

For this purpose, the Consultative Commission shall review existing and new Constitutional reform proposals and hold nationwide consultations with various sectors of society, such as farmers, fishermen, workers, students, lawyers, professionals, business, military, academic, ethnic, and other similar groups, including the different leagues of Local Government Units and members of Congress and the Judiciary.

SECTION 2. Composition. – The Consultative Commission shall be composed of not more than fifty (50) members representing the national, regional and sectoral constituencies, who shall be appointed by the President.

The national representatives shall, in addition to the qualifications hereinafter provided, be men or women of national standing, experienced in government or with recognized competence in their respective fields.

The regional representatives are to be apportioned among the different regions.

Sectoral representatives shall be chosen from, among other sectors, farmers, fishermen, workers, students, lawyers, professionals, business, military, academic, ethnic, and other similar groups.

SECTION 3. Nominations. – Nominations of members of the Consultative Commission may be made by concerned groups or individuals.

All nominations shall be submitted to the Office of the President not later than August 31, 2005.

Nominations must be in writing and accompanied by the following supporting documents, namely: (a) *curriculum vitae* of the nominee; (b) an indication of whether the nomination is for a national, regional or sectoral representative; (c) an endorsement by the nominating group or individual; (d) a certification by the nominee that he/she will accept appointment to the Commission, and (e) other materials that may aid the appointing authority.

SECTION 4. Qualifications. – No person shall be appointed member of the Consultative Commission unless he is a citizen of the Philippines, a qualified voter, of recognized probity, competence, honesty and patriotism.

SECTION 5. Organization and Proceedings. –

The Executive Secretary shall preside at the initial meeting until the Consultative Commission elects a Chairman to head and preside over its meetings, conferences and other proceedings. The election of a Chairman, Vice-Chairman, Secretary, and other officers from among its members shall be the first order of business at the opening session.

The plenary sessions of the Consultative Commission shall be public and duly recorded.

The Consultative Commission and its committees may hold its session in any place in the Philippines.

The Consultative Commission and its committees shall conduct public hearings to ensure wide public participation in the formulation of proposed amendments and revisions to the Constitution.

The Consultative Commission shall provide for other rules of its proceedings.

SECTION 6. Technical and Staff Support. – The Presidential Management Staff (“PMS”) shall assist in establishing a Secretariat for the technical and staff support of the Consultative Commission. For this purpose, the PMS is hereby authorized to ask for the detail of any personnel from any government office to assist the Consultative Commission.

Upon request of the Chairman of the Consultative Commission, the PMS and other government entities, agencies and instrumentalities shall make available such necessary and useful information and documents and suitable premises, equipment and furniture for use of the Consultative Commission.

SECTION 7. Appropriation. – The initial amount of Ten Million Pesos (₱10,000,000.00) is hereby appropriated for the operational expenses of the Consultative Commission to be sourced from available funds, subject to usual accounting and auditing rules and regulations.

SECTION 8. Time Frame. – The Consultative Commission shall commence its work before September 10, 2005 and shall endeavor to complete the same before December 15, 2005. The Consultative Commission shall present to the President its report and proposed revision of the 1987 Constitution for proper transmittal to Congress.

SECTION 9. Effectivity. – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 19th day of August, in the year of Our Lord, two thousand and five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 453-A
AMENDING EXECUTIVE ORDER NO. 453 DATED 19 AUGUST 2005 TO INCREASE THE
NUMBER OF THE MEMBERS TO BE INVITED TO THE CONSULTATIVE COMMISSION
TO PROPOSE THE REVISION OF THE 1987 CONSTITUTION

WHEREAS, the Consultative Commission to Propose the Revision of the 1987 Constitution was created pursuant to Executive Order No. 453 dated 19 August 2005;

WHEREAS, there is a need increase the membership of the Consultative Commission to ensure broader participation and more extensive representation of national, regional and sectoral constituencies;

WHEREAS, increasing the number of members to be invited to the Consultative Commission would provide additional and valuable inputs to the consultations and studies to propose amendments and revisions to the 1987 Constitution;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me, do hereby order:

SECTION 1: Section 2 of E.O. No. 453 s. 2005 is hereby amended to read as follows:

“SECTION 2: Composition. – The Consultative Commission shall be composed of not more than fifty-five (55) members representing the national, regional and sectoral constituencies, who shall be invited by the President.

The national representatives shall, in addition to the qualifications hereinafter provided, be men or women of national standing, experienced in government or with recognized competence in their respective fields.

The regional representatives are to be apportioned among the different regions.

Sectoral representatives shall be chosen from, among other sectors, farmers, fishermen, workers, students, lawyers, professionals, business, military, academic, ethnic, and other similar groups.”

SECTION 2: All other provisions of the said Order shall remain in force.

SECTION 3: This Executive Order shall take effect immediately.

Done in the City of Manila, this 24th day of October, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 454
TRANSFERRING BACK THE NATIONAL TELECOMMUNICATIONS COMMISSION (NTC)
UNDER THE SUPERVISION AND CONTROL OF THE DEPARTMENT OF
TRANSPORTATION AND COMMUNICATIONS (DOTC)

WHEREAS, Executive Order (EO) No. 546, dated July 23, 1979, which is entitled “Creating a Ministry of Public Works and a Ministry of Transportation and Communications,” created, in Section 14 thereof, the National Telecommunications Commission (NTC) under the supervision and control of the Ministry of Transportation and Communications (now Department of Transportation and Communications or DOTC);

WHEREAS, EO No. 269, dated January 12, 2004, which is entitled “Creating the Commission on Information and Communications Technology (CICT),” has placed, in Section 5 thereof, the NTC under the direct supervision and control of the CICT;

WHEREAS, transferring back the NTC under the supervision and control of the DOTC will streamline bureaucracy operations;

WHEREAS, EO No. 292, series of 1987, otherwise known as the “Administrative Code of 1987,” grants the President continuing authority to reorganize the administrative structure of the Executive Branch.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby transfer back the National Telecommunications Commission (NTC) under the supervision and control of the Department of Transportation and Communications (DOTC).

All issuances, orders, rules and regulations, or parts thereof, inconsistent with this Executive Order are hereby repealed or modified accordingly.

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 16th day of August, in the year of Our Lord, Two Thousand Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 455

**TRANSFERRING THE SUPERVISION AND CONTROL OF THE PHILIPPINE CHARITY
SWEEPSTAKES FROM THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT
TO THE DEPARTMENT OF HEALTH, AND FOR OTHER PURPOSES**

WHEREAS, on 8 November 2004, the President issued Executive Order No. 383 placing the Philippine Charity Sweepstakes Office (“PCSO”) under the control and supervision of the Department of Social Welfare and Development (“DSWD”);

WHEREAS, pursuant to its charter, the PCSO is the principal government agency in charge of raising and providing funds for health programs, medical assistance and services and charities of national character;

WHEREAS, the Department of Health (“DOH”) is primarily responsible for the formulation, planning, implementation and coordination of policies and programs in the field of health, with the primary function of promoting, protecting, preserving or restoring the health of the people through the provision and delivery of health services and through the regulation and encouragement of providers of health goods and services;

WHEREAS, in order to facilitate coordination of policies and programs between these agencies with a view to ensuring the effective and aggressive implementation of the health programs of the government, it is necessary and practical to transfer control and supervision over the PCSO from the DSWD to the DOH;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Philippine Charity Sweepstakes Office shall hereby be placed under the supervision and control of the Department of Health.

SECTION 2. All orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 22nd day of August, in the Year of our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 456
RENAMING THE DEPARTMENT OF LAND REFORM BACK
TO DEPARTMENT OF AGRARIAN REFORM

WHEREAS, Executive Order No. 364 dated 27 September 2004 transformed the Department of Agrarian Reform into the Department of Land Reform;

WHEREAS, Republic Act No. 6657 otherwise known as the Comprehensive Agrarian Reform Law defines agrarian reform as the redistribution of lands, regardless of crops or fruits produced, to farmers and regular farm workers who are landless, irrespective of tenurial arrangement, to include the totality of factors and support services designed to lift the economic status of the beneficiaries and all other arrangements alternative to physical redistribution of lands, such as production or profit sharing, labor administration, and the distribution of shares of stocks, which will allow beneficiaries to receive a just share of the fruits of the lands they work;

WHEREAS, the Comprehensive Agrarian Reform Law goes beyond just land reform but includes the totality of all factors and support services designed to lift the economic status of the beneficiaries;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. The Department of Land Reform is hereby renamed as the Department of Agrarian Reform.

Sec. 2. All orders, rules, regulations and issuances or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

Sec. 3. This Executive Order shall take effect immediately.

Done in the City of Manila, this 23rd day of August, in the Year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 457

DESIGNATING THE COMMISSION ON FILIPINO OVERSEAS AS THE LEAD AGENCY FOR
THE COMMEMORATION OF THE CENTENNIAL OF FILIPINO MIGRATION TO HAWAII

WHEREAS, on December 20, 1906, a group of Filipino plantation workers arrived in Hawaii aboard the Doric, leading the first wave of Filipinos to migrate to Hawaii;

WHEREAS, the first group of Filipinos was followed by subsequent waves of Filipino immigrants who came to settle in Hawaii and also in other parts of the United States, contributing to a migration pattern that continues up to this day;

WHEREAS, today Filipinos with their rich culture and heritage have become a positive influence on mainstream life in Hawaii, with many of them succeeding prominently in their respective professions, in business, politics, government, the academe and the arts;

WHEREAS, while Filipinos in Hawaii have firmly established themselves in their adoptive country, they continue to maintain their strong ties with the Philippines, keep an active interest in its progress, and contribute to the development of their homeland;

WHEREAS, conscious of the historical circumstances and the contribution of Filipinos to Hawaii's multicultural society, the State of Hawaii has initiated preparations to commemorate the centennial of Filipino migration to Hawaii in 2006, and created through Act 159 the Filipino Centennial Celebration Commission to organize the commemorative activities;

WHEREAS, the commemoration of the centennial of Filipino migration to Hawaii will contribute to strengthening ties among Filipinos in Hawaii and the entire United States, open new opportunities for tourism, trade and investments for the Philippines, help strengthen Filipino-American community organizations and highlight their contribution to both the United States of America and the Philippines, and reinforce their important role in bridging the two countries;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Lead Agency – The Commission on Filipino Overseas (CFO) shall be the lead agency for the commemoration of the Centennial of Filipino Migration to Hawaii.

SEC. 2. Agency Support - The CFO shall coordinate the integrated assistance by seeking technical, financial and administrative support from the following agencies: Department of Foreign Affairs (DFA), Department of Tourism (DOT), Department of Labor and Employment (DOLE), Department of Trade and Industry (DTI), Department of Education (DepEd), Department of Transportation and Communications (DOTC) – Civil Aeronautics Board (CAB), Department of the Interior and Local Government (DILG), National Commission for Culture and the Arts (NCCA), National Historical Institute (NHI), and Philippine Retirement Authority (PRA).

The above-mentioned agencies shall be represented by an official with rank not below that of an Assistant Secretary.

The CFO may also seek assistance from the private sector.

SEC. 3. Integrated Assistance – The CFO, by itself or through the agencies mentioned in Section 2 hereof, shall:

- 1) Prepare an over-all program to commemorate Filipino migration to Hawaii in 1906 onwards, in order to highlight their significant contributions to Hawaii, the United States and the Philippines.
- 2) Oversee the implementation of the various programs and activities for the commemoration, and encourage the widest participation of Filipinos in the country, in Hawaii and the rest of the United States.
- 3) Coordinate with the Filipino Centennial Celebration Commission in Hawaii, as well as Filipino associations and organizations in the United States for the conduct of joint commemorative activities.
- 4) Organize working groups to coordinate and supervise matters related to the commemorative activities.
- 5) Mobilize private sector participation in all aspects of the commemorative activities.
- 6) Perform other functions that will ensure the smooth and successful conduct of activities for the celebration.

SEC. 4. Assistance – The CFO is hereby authorized to call upon all other departments, agencies, and instrumentalities of the government whose assistance and support may be deemed necessary to the effective performance of all these functions, and said departments, agencies, and instrumentalities are hereby directed to extend full cooperation thereto.

SEC. 5. Funding – The CFO may seek grants, and may accept donations, to finance or support its projects, programs and activities in connection with the commemorative activities.

SEC. 6. Period of Existence – The Commission shall cease to exist after March 31, 2007, after submitting a final report to the Office of the President of all its activities, including an accounting of all moneys received and disbursed.

SEC. 7. Separability Clause – Should any part or provision of this Executive Order be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 8. Effectivity – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 23rd day of August, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 458
DECLARING AND DELINEATING THE BENONI PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the Port of Benoni is one of the major and busiest ports in the country;

WHEREAS, there is a need to expand the Port of Benoni for planning purposes to accommodate projected increases in port traffic and to program the development of the necessary port facilities to support the demands of the shipping trade within the region;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the Port of Benoni is hereby expanded and particularly described as follows:

“A parcel of land including Lots 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660 and 1661 PLS-1103, Case 4 Mahinog Cadastre situated in Barangay Benoni, Municipality of Mahinog, Province of Camiguin. Bounded on the North West by the National road along lines 1-2, 2-3, 3-4, 4-5 5-6 and 10-1 on the North by the Mindanao Sea along line 6-7 on the East by the Mindanao Sea along lines 8-9 and 9-10 all of the Cadastral Plan PLS-1103, Case 4 beginning at point marked “1” on the plan being S19°-34'-49"E, 1,684.20m from B.L.L.M. No. 1, PLS 1103 Mahinog, Camiguin to corner 1,

thence N27°-10'E.,	42.71m to point 2
thence N38°-56'E.,	100.00m to point 3
thence N30°-28'E.,	19.72m to point 4
thence N34°-42'E.,	15.81m to point 5
thence N10°-37'E.,	24.42m to point 6
thence DUE EAST.,	357.50m to point 7
thence DUE SOUTH.,	601.00m to point 8
thence DUE WEST.,	300.00m to point 9
thence N36°-34'W.,	387.81m to point 10
thence N29°-28'E.,	137.25m to point 1, point of

beginning containing an area of **TWO HUNDRED FIFTY EIGHT THOUSAND FIFTY EIGHT (258,058.00) SQUARE METERS** more or less.” All points referred to are indicated in the plan, bearings true, date of original survey, December 5-8, 1997 by Survey Team from Harbor Maintenance Department, Philippine Ports Authority, Manila.

SEC. 2. The Benoni Port Zone, as expanded, is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the Government, implement a program for the proper zoning, planning, development and utilization of the port.

SEC. 3. All other orders, proclamations and issuances or portions thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 31st of August, in the year of our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 459
STREAMLINING THE PROCEDURE IN THE DISPOSITION OF REQUESTS OF
GOVERNMENT OFFICIALS AND EMPLOYEES FOR AUTHORITY TO TRAVEL ABROAD

WHEREAS, Executive Order (EO) No. 6 dated March 12, 1986, as amended by Memorandum Order (MO) No. 26 dated July 31, 1986, provided for procedures in the disposition of requests of government officials and employees for authority to travel abroad;

WHEREAS, Memorandum Circular (MC) No. 18 dated October 27, 1992 clarified existing rules and regulations on travel abroad of government officials and employees;

WHEREAS, there is a need to streamline procedures in the disposition of requests of government officials and employees for authority to travel abroad in order to promote administrative efficiency and to enable the Office of the President to attend to governance matters;

WHEREAS, EO 292, otherwise known as the Administrative Code of 1987, recognizes, in Section 31(2), Chapter 10, Title III, Book III, the President's continuing authority to reorganize her office by transferring any function under the Office of the President to any other Department or Agency as well as transfer functions to the Office of the President from other Departments and Agencies;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. The following officials shall seek approval from the Office of the President for authority to travel abroad.

- a) Members of the Cabinet and officials of equivalent rank;
- b) Heads of government-owned and controlled corporations (GOCCs) and government financing institutions (GFIs) under or attached to the Office of the President; and
- c) Heads of agencies under or attached to the Office of the President.

Section 2. Subject to Section 5 hereof, all other government officials and employees seeking authority to travel abroad shall henceforth seek approval from their respective heads of agencies, regardless of the length of their travel and the number of delegates concerned. For the purpose of this paragraph, heads of agencies refer to the Department Secretaries or their equivalents.

In the case of GOCCs and GFIs attached to the Office of the President, their officials and employees shall seek approval from the heads of these GOCCs and GFIs. Officials and employees of GOCCs and GFIs not attached to Office of the President shall seek approval from the department head to which they are attached.

Provincial Governors and Mayors of highly urbanized cities or independent component cities shall seek approval from the Secretary of the Interior and Local Government.

Heads of state universities and colleges shall seek approval from the Chairman of the Commission on Higher Education, while all the other officials or employees of state universities and colleges shall seek approval from their respective heads. Heads of technical and vocational schools shall seek approval from the Chairman of the Technical Education and Skills Development Authority, while all

the other officials and employees of technical and vocational schools shall seek approval from their respective heads.

Officials and employees of agencies under or attached to the Office of the President shall seek approval from the head of these agencies.

The foregoing authority shall not preclude the Office of the President from requiring any official and employee to secure authority to travel abroad from the Office of the President.

Section 3. Administrative Order No. 103, dated August 31, 2004, directing the continued adoption of austerity measures in the government shall remain in full force and effect.

Section 4. All those empowered to approve travels abroad shall submit a quarterly report to the Office of the President of all approved and authorized travels abroad of their officials and employees, indicating therein the names of the travelers, their destinations, the duration, the nature and purpose of the travel, and the costs of travel.

Section 5. All those empowered to approve travels abroad are hereby authorized to approve up to seventy-five percent (75%) of their allocated travel budget, in excess of which, they are required to secure from the Office of the President authorization to utilize the balance.

Section 6. Except as otherwise modified under this Executive Order (EO), EO No. 248 dated May 29, 1995, as amended by EO 248-A dated August 14, 1995 and EO 298 dated March 23, 2004, prescribing rules and regulations and new rates of allowances for official local and foreign travels of government personnel, as well as other guidelines related to travel abroad, shall remain in full force and effect.

Section 7. All issuances, orders, rules and regulations, or parts thereof, inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

Section 8. This Executive Order shall take effect immediately.

Done, in the City of Manila, this 1st day of September, in the year of our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 460
AMENDING EXECUTIVE ORDER NO. 119 (S. 2002) AND FOR OTHER PURPOSES

WHEREAS, Republic Act No. 9136, otherwise known as the “Electric Power Industry Reform Act of 2001” (“EPIRA”) ordered all outstanding financial obligations of electric cooperatives to the National Electrification Administration (“NEA”) and other government agencies incurred for the purpose of financing the rural electrification program to be assumed by the PSALM Corporation;

WHEREAS, pursuant to R.A. No. 9136, Executive Order No. 119 was issued on 28 August 2002 to provide for restructuring program for electric cooperatives;

WHEREAS, this administration is committed to strengthening rural electric cooperatives in order to achieve reliable, secure and cheaper electricity for all consumers, particularly in rural areas, in line with the declared policies in EPIRA;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Section 5 of Executive Order No. 119 (s. 2002) is hereby amended to read as follows:

“Section 5. Assumption of Rural Electrification Loans. – To ensure that the implementation of the Program is in accordance with law which requires that only Rural Electrification Loans shall be assumed by PSALM, and to further protect consumer welfare, the assumption of Rural Electrification Loans shall be subject to the following terms and conditions:

x x x

c. ERC shall have approved the reduction in the EC’s rates commensurate with the resulting savings due to the removal of the amortization payments on the Rural Electrification Loan/s.

x x x.

Nothing in this Section shall mean that the effectivity date of the loan condonation will commence on the day ERC issues to the ECs Provisional Authority to reduce rates, such loan condonation being effective on June 26, 2001 as provided for in EPIRA and assumption of which loan by PSALM having commenced on said date.”

SECTION 2. Section 7 Executive Order No. 119 (s. 2002) is hereby amended to read as follows:

“Section 7. Assumption and Payment by PSALM of Rural Electrification Loans. – Pursuant to Section 60 of EPIRA, PSALM shall assume all Rural Electrification Loans upon the effectivity thereof. The assumption of the Rural Electrification Loans by PSALM shall retroact from the effectivity of the EPIRA.

Thereafter, PSALM and NEA or other creditor government agencies shall enter into contracts and/or agreements, necessary and proper, to undertake the payment of the assumed Rural Electrification Loans through an amortization schedule to be agreed upon between PSALM on the one hand, the NEA or other creditor government agencies, on the other. Where necessary, such contracts and/or agreements may include mutual stipulations on the modification and/or amendments of existing contracts of mortgage and other security between ECs and NEA or other creditor government agencies.

SECTION 3. Repealing Clause. – All executive issuances, orders, rules and regulations or parts thereof inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 4. Effectivity. – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 2nd day of September, in the Year of our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 461
REVISING FURTHER THE COMPENSATION PLAN
OF THE FOREIGN SERVICE OF THE PHILIPPINES

WHEREAS, Republic Act No. 7157, otherwise known as the Philippine Foreign Service Act of 1991, provides that the President shall approve, upon recommendation of the Secretary of Foreign Affairs and the Secretary of Budget and Management, the rates, indices and maximum allowable amounts and policies on allowances which shall be applicable to all national government employees stationed abroad pursuant to the Foreign Service Compensation Decree;

WHEREAS, Executive Order No. 101, dated 15 June 1993, provides for the revision of the Compensation Plan of the Foreign Service of the Philippines;

WHEREAS, no adjustment has ever been made since the issuance of said Executive Order;

WHEREAS, since that time, there have been significant changes in the economic scenario which have resulted in a general increase in the cost of living abroad;

WHEREAS, it is necessary for government to provide, within its financial capability, personnel assigned abroad with a fairly adequate means to enable them to live in a manner befitting their representative capacity so as to ably represent the country with distinction and dignity;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby approve the following rates, rules and regulations to be observed in the payment of compensation to personnel of the National Government in the Foreign Service.

SECTION 1.0 OVERSEAS ALLOWANCE

- 1.1 The basic annual rates of overseas allowance provided for under Section 1 of Executive Order No. 101 for all Philippine Government personnel stationed abroad are hereby amended as follows:

<u>RANK</u>	RATE	
	<u>IN US DOLLARS</u>	
	<u>From</u>	<u>To</u>
Chief of Mission		
Head of Diplomatic Post	43,391	69,599
Others, including Consul General	37,731	60,521
Career Minister	32,809	52,626
Foreign Service Officer		
Class I	28,530	45,762
Class II	25,936	41,601

Class III	23,578	37,819
Class IV	21,435	34,382
Foreign Service Staff Officer		
Class I	21,435	34,382
Class II	20,414	32,744
Class III	19,442	31,185
Class IV	18,516	29,700
Foreign Service Staff Employee		
Class I	16,833	27,000
Class II	16,031	25,714
Class III	15,268	24,490

- 1.2 The overseas allowance indices provided for under Section 1.2 and Section 5.2 of Executive Order No. 101 are hereby revised and the newly proposed posts are also given an index as follows:

<u>COUNTRY/POST</u>		PERCENTAGE	
		<u>From</u>	<u>To</u>
Argentina	Buenos Aires	116	82
Australia	Canberra	106	90
	Melbourne	106	90
	Sydney	106	90
	Vienna	130	96
Austria	Vienna	130	96
Bahrain	Manama	113	91
Bangladesh	Dhaka	90	77
Belgium	Brussels	128	94
Brazil	Brasilia	93	82
Brunei	Bandar Seri Begawan	90	75
Cambodia	Phnom Penh	91	75
Canada	Montreal	95	93
	Ottawa	95	91
	Toronto	95	93
	Vancouver	95	91
	Winnipeg	95	91
Chile	Santiago	93	82
China	Beijing	92	89
	Guangzhou	92	89
	Hong Kong SAR	98	100
	Shanghai	92	89
	Xiamen	92	89
	Saipan	102	86
CNMI	Saipan	102	86
Cuba	Havana	112	85
Czech Republic	Prague	89	90
Egypt	Cairo	92	76

		<u>From</u>	<u>To</u>
France	Paris	128	98
Gabon	Libreville	140	93
Germany	Berlin	128	98
	Bonn	128	93
	Hamburg	128	92
Greece	Athens	112	89
Hungary	Budapest	89	92
India	New Delhi	84	79
Indonesia	Jakarta	101	81
	Manado	67	70
Iran	Tehran	100	83
Iraq	Baghdad	113	84
Ireland	Dublin	–	95
Israel	Tel-Aviv	130	90
Italy	Milan	136	96
	Rome	136	96
Japan	Osaka	162	128
	Tokyo	162	128
Jordan	Amman	113	77
Kenya	Nairobi	93	78
Kuwait	Kuwait City	113	81
Laos	Vientiane	91	80
Lebanon	Beirut	130	90
Libya	Tripoli	113	82
Malaysia	Kuala Lumpur	91	75
Mexico	Mexico City	93	85
Micronesia	Pohnpei	102	86
Myanmar	Yangon	82	83
Morocco	Rabat	115	83
Netherlands	The Hague	128	93
New Zealand	Wellington	110	90
Nigeria	Abuja	130	93
Norway	Oslo	–	105
Oman	Muscat	113	81
Pakistan	Islamabad	89	80
Palau	Koror	102	86
Papua New Guinea	Port Moresby	102	88
Peru	Lima	93	78
Poland	Warsaw	89	85
Portugal	Lisbon	–	87
Qatar	Doha	113	79
Romania	Bucharest	89	81
Russia	Moscow	130	95
Saudi Arabia	Jeddah	113	86
	Riyadh	113	86

		<u>From</u>	<u>To</u>
Senegal	Dakar	131	91
Singapore	Singapore	98	80
South Africa	Pretoria	105	92
South Korea	Seoul	108	107
Spain	Barcelona	128	94
	Madrid	128	94
Sri Lanka	Colombo	82	77
Sweden	Stockholm	142	99
Switzerland	Berne	142	107
	Geneva	142	107
Thailand	Bangkok	91	77
Timor-Leste	Dili	101	89
Turkey	Ankara	113	86
U.A.E.	Abu Dhabi	113	86
	Dubai	–	86
United Kingdom	London	136	100
U.S.A.	Agana	102	100
	Chicago	97	100
	Honolulu	110	100
	Houston	94	100
	Los Angeles	95	100
	New Orleans	93	100
	New York	100	100
	San Diego	93	100
	San Francisco	93	100
	Seattle	96	100
	Washington, D.C.	96	100
Vatican	Holy See	136	96
Venezuela	Caracas	93	82
Vietnam	Hanoi	84	79

- 1.3 Husband and wife who are assigned in the same post shall be entitled to a separate allowance with index corresponding to their respective ranks.
 - 1.4 The granting of overseas allowance shall be in accordance with the provisions of Section 66 of R.A. 7157 and subject to the condition that nobody shall suffer a reduction as a result of these new rates. In case of reduction, the rates shall apply prospectively and the personnel concerned shall continue to receive their present overseas allowance for the duration of their tour of duty at the post.
 - 1.5 Hardship posts as may be determined by the Secretary shall receive an additional five percent (5%) increase in their overseas allowance to meet other expenses brought about by dangerous, unhealthy or excessively adverse living conditions prevailing at post, subject to the availability of funds.
 - 1.6 Foreign Service personnel assigned abroad, including Chiefs of Mission, who are detailed to another post shall, for the duration of the detail, be entitled to the overseas allowance index of the post where they are temporarily assigned.
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SECTION 2.0 *LIVING QUARTERS ALLOWANCE*

- 2.1 The basic annual rates of living quarters allowance provided for under Section 2 of Executive Order No. 101 for all Philippine Government personnel stationed abroad are hereby amended as follows:

<u>RANK</u>	RATE			
	<u>IN US DOLLARS</u>			
	With Family		Without Family	
	<u>From</u>	<u>To</u>	<u>From</u>	<u>To</u>
Chief of Mission				
Head of Diplomatic Post	33,984	42,871	27,777	35,041
Others, including Consul General	28,318	35,723	23,146	29,199
Career Minister	24,625	31,064	20,130	25,394
Foreign Service Officer				
Class I	22,389	28,244	18,296	23,080
Class II	20,352	25,674	16,636	20,986
Class III	18,503	23,341	15,124	19,079
Class IV	16,820	21,218	13,747	17,342
Foreign Service Staff Officer				
Class I	16,820	21,218	13,747	17,342
Class II	15,290	19,288	13,094	16,518
Class III	14,563	18,371	12,470	15,731
Class IV	13,869	17,496	11,875	14,980
Foreign Service Staff Employee				
Class I	12,579	15,868	10,771	13,588
Class II	12,579	15,868	10,771	13,588
Class III	12,579	15,868	10,771	13,588

- 2.2 The living quarters allowance indices provided for under Section 2.2 and Section 5.2 of Executive Order No. 101 are hereby revised and the newly opened posts are given an index as follows:

<u>COUNTRY/POST</u>		PERCENTAGE	
		<u>From</u>	<u>To</u>
Argentina	Buenos Aires	85	90
Australia	Canberra	95	97
	Melbourne	100	100
	Sydney	100	100
	Vienna	120	130
Austria	Vienna	120	130
Bahrain	Manama	98	100
Bangladesh	Dhaka	55	65

Belgium	Brussels	120	130
Brazil	Brasilia	105	110
Brunei	Bandar Seri Begawan	85	95
Cambodia	Phnom Penh	85	90
Canada	Montreal	100	100
	Ottawa	100	102
	Toronto	102	102
	Vancouver	100	102
	Winnipeg	100	100
Chile	Santiago	85	90
China	Beijing	90	95
	Guangzhou	100	100
	Hong Kong SAR	110	115
	Shanghai	90	100
	Xiamen	90	95
CNMI	Saipan	100	100
Cuba	Havana	90	100
Czech Republic	Prague	95	130
Egypt	Cairo	90	95
France	Paris	120	130
Gabon	Libreville	120	100
Germany	Berlin	120	130
	Bonn	120	130
	Hamburg	120	130
Greece	Athens	102	130
Hungary	Budapest	95	130
India	New Delhi	60	70
Indonesia	Jakarta	95	95
	Manado	60	70
Iran	Tehran	90	95
Iraq	Baghdad	110	100
Ireland	Dublin	–	130
Israel	Tel-Aviv	120	125
Italy	Milan	120	130
	Rome	120	130
Japan	Osaka	145	150
	Tokyo	145	150
Jordan	Amman	98	100
Kenya	Nairobi	78	90
Kuwait	Kuwait City	98	100
Lao Republic	Vientiane	60	70
Lebanon	Beirut	120	125
Libya	Tripoli	98	100
Malaysia	Kuala Lumpur	85	90
Mexico	Mexico City	110	115
Micronesia	Pohnpei	100	100

Morocco	Rabat	95	100
Myanmar	Yangon	60	70
Netherlands	The Hague	110	130
New Zealand	Wellington	112	115
Nigeria	Abuja	70	90
Norway	Oslo	–	130
Oman	Muscat	98	100
Pakistan	Islamabad	60	70
Palau	Koror	100	100
Papua New Guinea	Port Moresby	110	115
Peru	Lima	78	90
Poland	Warsaw	–	130
Portugal	Lisbon	–	130
Qatar	Doha	98	100
Romania	Bucharest	95	130
Russia	Moscow	95	130
Saudi Arabia	Jeddah	95	100
	Riyadh	95	100
Senegal	Dakar	120	100
Singapore	Singapore	100	100
South Africa	Pretoria	95	100
South Korea	Seoul	120	125
Spain	Barcelona	–	130
	Madrid	120	130
Sri Lanka	Colombo	60	70
Sweden	Stockholm	120	130
Switzerland	Berne	120	130
	Geneva	120	130
Thailand	Bangkok	85	95
Timor-Leste	Dili	95	100
Turkey	Ankara	100	110
U.A.E.	Abu Dhabi	98	100
	Dubai	98	100
United Kingdom	London	120	130
U.S.A.	Agana	100	100
	Chicago	100	100
	Honolulu	110	110
	Houston	90	100
	Los Angeles	95	100
	New Orleans	90	100
	New York	100	100
	San Diego	90	100
	San Francisco	95	100
	Seattle	95	100
	Washington, D.C.	100	100

Vatican	Holy See	120	130
Venezuela	Caracas	110	115
Vietnam	Hanoi	60	70

- 2.3 The granting of living quarters allowance shall be in accordance with the provisions of Section 65 of R.A. 7157 and subject to the condition that nobody shall suffer a reduction as a result of these new rates. In case of reduction, the rates shall apply prospectively and the personnel concerned shall continue to receive their present living quarters allowance for the duration of their tour of duty at the post.
- 2.4 For purposes of this allowance, personnel who are living at the post of assignment with the spouse or at least one (1) qualified dependent child who has not reached 21 years of age shall be considered with family. Unmarried children who are mentally or physically handicapped as attested to by a medical certificate, incapable of supporting themselves and living with the officer or employee abroad, shall be considered, for this purpose, regardless of age, as dependents. The return flight to Manila of legal dependent children, regardless of age, shall be at government expense.
- 2.5 Payment of the allowance shall be made strictly on the basis of actual status at post. Those, however, whose dependents have temporarily left their residence at the post shall retain their “with family” status: Provided, That for the duration of their absence, the personnel concerned shall not move to a cheaper or smaller lodging: Provided, further, That their absence at any one time shall not exceed beyond three (3) months: Provided, finally, That the dependents have not established residence elsewhere. Gainful employment outside of post is an indication of having changed domicile.
- 2.6 In the case of husband and wife who are both assigned in one (1) post, only the spouse with the higher rank shall be entitled to the allowance with index and, for purposes of family status under Section 2.4 hereof, the other spouse shall be considered as dependent.
- 2.7 In case, where, because of acute housing shortage, prohibitive rental cost or other circumstances, two (2) or more Foreign Service personnel are constrained to rent one (1) apartment or housing unit jointly, the claimants shall be entitled to their respective allowances: Provided, That the Head of Post shall certify in the claim voucher that their individual allowance is insufficient to cover the rental of one (1) apartment or housing unit at the post.
- 2.8 In posts where there is a standard practice among landlords to require advance rental or deposit equivalent to at least six (6) months to one (1) year rental of the unit, payment of the advance living quarters allowance sufficient to cover the required amount may be authorized: Provided, That the advance rental shall be paid directly to the landlord by the post: Provided, further, That the claimant shall submit to the Home Office a copy of the pertinent contract of lease duly certified by the Head of Post which should invariably contain a diplomatic clause: Provided, finally, That, in case of recall, reassignment or for any other reason, the unexpired portion of the amount paid shall be duly refunded to the post subject, however, to the condition that in case of force majeure whereby the unexpired portion is not refunded, the claimant shall not be held accountable.
- 2.9 In places where the new lessees are invariably required at the outset to pay key money for goodwill and in places where lessees are required by the host government, or by customary business practice, to rent a house or apartment unit through an agent and pay the corresponding real estate agent’s fee or commission upon signing of the lease contract,
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payment of the above may be authorized, chargeable against the account of the Department concerned: Provided, That the Head of Post shall certify in the pertinent cash voucher that such payments are required by the host government or customary at the post and not refunded by the owner to the lessee: Provided, further, That any key money and/or real estate agent's fee or commission that may be required upon renewal of the lease contract shall likewise be chargeable against the account of the Department concerned.

- 2.10 In lieu of commutable living quarters allowance, payment of actual rental of quarters occupied by the Head of Post may be authorized, subject to the availability of funds and as may be warranted by the housing situation in the post of assignment. Payment of the utilities shall be in accordance with regulations as may be prescribed by the Secretary of Foreign Affairs.

SECTION 3.0 REPRESENTATION ALLOWANCE

- 3.1 The allowance per annum shall be granted in accordance with the provisions of Section 70 of R.A. 7157, as follows:

3.1.1 *High Cost Posts*

	<u>From</u>	<u>To</u>
Chief of Mission (not Head of Post)	\$4,000.00	\$6,000.00
Career Minister	3,000.00	4,500.00
FSO I	2,400.00	3,600.00
FSO II	1,800.00	2,700.00
FSO III	1,200.00	1,800.00
FSO IV	1,200.00	1,800.00
FSSO I	960.00	1,440.00
Others duly authorized by the Secretary	960.00	1,440.00

3.1.2 *Medium Cost Posts*

	<u>From</u>	<u>To</u>
Chief of Mission (not Head of Post)	\$2,400.00	\$3,600.00
Career Minister	2,400.00	3,600.00
FSO I	1,920.00	2,880.00
FSO II	1,440.00	2,160.00
FSO III	960.00	1,440.00
FSO IV	960.00	1,440.00
FSSO I	720.00	1,080.00
Others duly authorized by the Secretary	720.00	1,080.00

3.1.3 Low Cost Posts

	<u>From</u>	<u>To</u>
Chief of Mission (not Head of Post)	\$1,800.00	\$2,700.00
Career Minister	1,800.00	2,700.00
FSO I	1,400.00	2,100.00
FSO II	1,080.00	1,620.00
FSO III	720.00	1,080.00
FSO IV	720.00	1,080.00
FSSO I	600.00	900.00
Others duly authorized by the Secretary	600.00	900.00

3.2 Philippine Foreign Service establishments are categorized into high, medium and low-cost posts, as follows:

3.2.1 High-Cost Posts

These posts have an Overseas Allowance index in the range of 90 and above.

3.2.2 Medium-cost Posts

These posts have an Overseas Allowance index in the range of 80-89.

3.2.3 Low-cost Posts

These posts have an Overseas Allowance index in the range of 70-79.

SECTION 4.0 FAMILY ALLOWANCE

4.1 An officer or employee, other than an alien or casual/contractual employee, who is assigned abroad and whose family resides with him at the post of assignment, shall be entitled to a commutable family allowance equivalent to:

- a. US\$ 150.00 per month for the dependent spouse
- b. US\$ 75.00 per month for each dependent child not exceeding three (3) in number.

4.2 For this purpose, a dependent child shall mean legitimate, illegitimate, legitimated or legally adopted child who is not over 21 years, unmarried, not gainfully employed, and living with the officer or employee at the post of assignment.

4.3 Unmarried children who are mentally or physically handicapped as attested to by medical certificate, incapable of supporting themselves and living with the officer or employee abroad, shall be considered, for this purpose, regardless of age, as dependents.

4.4 Subject to the prior approval of the Department Head, full family allowance may be paid to any claimant whose dependent does not live with him at the post of assignment under any of the following circumstances:

- a. He is compelled to live alone due to dangerous, notably unhealthy or excessively adverse living conditions, or by other unavoidable circumstances like lack of appropriate, reasonable educational facilities for his children; or

- b. For the convenience of the Government, he must live alone without any or all the members of his family at his post of assignment.

All other meritorious cases may be considered by the Department Head as the circumstances and the exigencies of the Service may warrant.

SECTION 5.0 *MODE OF PAYMENT*

- 5.1 Effective upon full implementation of this Executive Order, payment of the foregoing allowances may be made either in U.S. dollars or in local currency computed at the prevailing market rate. Henceforth, payment in local currency at collection rate shall be discontinued, without exception.

SECTION 6.0 *ADJUSTMENT OF RATES*

- 6.1 The allowances prescribed hereto may be adjusted every two (2) years by the Secretary of Foreign Affairs and the Secretary of Budget and Management, upon approval of the Office of the President, to respond to substantial changes in the economic climate, subject to the availability of funds.
- 6.2 In the case of a newly opened post which is not included in this Executive Order, the rates/indices/classification of the nearest post in terms of economic conditions thereat shall apply, pending Executive approval of an appropriate index for that particular post.

SECTION 7.0 *EXEMPTION FROM TAXATION*

- 7.1 All allowances, per diems, benefits and the like received by officers and employees of the Foreign Service, in consideration of their service while on assignment abroad, except their basic salaries, shall be exempt from Philippine income tax.

SECTION 8.0 *FUNDING REQUIREMENTS*

- 8.1 The amount needed to cover the foregoing adjustments in the foreign service compensation of personnel stationed abroad shall be taken from the appropriations for allowances and from whatever savings realized by the Department or the agency concerned during FYs 2005 and 2006. Thereafter, such amounts as may be necessary shall be included in the budget proposal of the Department or the agency concerned.

SECTION 9.0 *SUPPLEMENTARY RULES AND REGULATIONS*

- 9.1 The supplementary rules and regulations to implement this Executive Order shall be issued by the Secretary of Foreign Affairs.

SECTION 10.0 *SEPARABILITY CLAUSE*

- 10.1 If any section or any part of this Executive Order shall be declared illegal or unconstitutional by competent authority, the remaining sections or parts thereof shall not thereby be affected.

SECTION 11.0 REPEALING CLAUSE

11.1 This Executive Order supersedes Executive Order No. 101 dated 15 June 1993. All other orders, rules and regulations or parts thereof inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 12.0 EFFECTIVITY DATE

12.1 This Order shall take effect immediately.

Done in the City of Manila, this 5th day of September, in the year of our Lord, two thousand and five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 462

**ADOPTING MEASURES AND SAFETY NETS TO PROTECT THE INCOME OF GOVERNMENT
EMPLOYEES, CREATING THE COMMITTEE ON PROTECTION OF INCOME OF
GOVERNMENT EMPLOYEES, AND FOR OTHER PURPOSES**

WHEREAS, the Constitution (Article, Section 18) mandates the State to affirm labor as a primary social economic force and shall protect the rights of the workers and promote their welfare;

WHEREAS, it is imperative that the government adopt measures to protect the welfare of government employees specifically through measures and safety nets that will protect their meager income in order to strengthen their commitment to public service and improve their work efficiency and effectiveness;

WHEREAS, in the Presidential Anti-Corruption Workshop held on 15-17 December 2004, the 22-Integrity Development Action Plan (IDAP) National Framework was developed and presented by various government agencies, which plan includes Prevention Action Plan No. 6 entitled “Protect the Meager Income of Government Employees” and which aims to promote their morale and satisfaction in the government service;

WHEREAS, the President, as the Chief Executive, is empowered to institute measures, programs and projects that will ensure and enhance the welfare of government employees.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. There is hereby created a Committee on Protection of Income of Government Employees (hereinafter referred to as “Committee”) which shall be tasked to formulate, implement and monitor programs and projects that would provide assistance to government employees particularly the financially-distressed, and promote their morale and welfare.

In the attainment of its objective, the Committee shall adopt, institute and ensure that the following, among others, are observed in all government agencies, including government-owned and/or controlled corporations, as well as government financial institutions:

1. Adopt the poverty threshold as limitation for purposes of deduction from salaries of government employees for payment of loan amortization and service fees for private association and lenders;
2. Eradicate systems and procedures that lead to negative bureaucratic behavior, such as debt-culture;
3. Promote employees’ morale and welfare; and
4. Provide motivation to officials and employees to observe public service ethical standards.

Section 2. The Committee shall be composed of representatives from various government agencies, consisting of:

Chairman	The Assistant Executive Secretary (AES) for Internal Audit Office, Office of the President (OP), in <i>ex-officio</i> capacity
Vice-Chairman	The President of Philippine Government Employees Association (PGEA)
Members	Representatives from: Civil Service Commission (CSC) Department of Budget and Management (DBM) Department of Justice (DOJ) National Economic and Development Authority (NEDA) Presidential Council on Values Formation (PCVF) National Convention of Government Employees Working Council (NCGEWC)
Head Secretariat	The AES for Budget and Corporate Affairs, OP, in <i>ex-officio</i> capacity

Section 3. All departments, agencies or instrumentalities, including government-owned or controlled corporations and government financial institutions are enjoined to support and assist the Committee in carrying out its functions.

Section 4. All issuances, orders, rules and regulations, or parts thereof, inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

Section 5. This Executive Order shall take effect immediately.

Done, in the City of Manila, this 19th day of September, in the year of our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 463

CREATING A NATIONAL ANTI-CRIME TASK FORCE UNDER THE PRESIDENTIAL ANTI-ORGANIZED CRIME COMMISSION (PAOCC), AMENDING SECTION 2 OF EXECUTIVE ORDER NO. 295 (S. 2000) AND FOR OTHER PURPOSES

WHEREAS, Article II, Section 5 of the Constitution provides that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all people of the blessings of democracy.

WHEREAS, Executive Order No. 295 (s. 2000) created the Presidential Anti-Organized Crime Commission (PAOCC) to bring about focus and substantive results in the campaign against criminality;

WHEREAS, enhanced coordination between and among agencies engaged in the fight against criminality will lead to improved effectiveness and efficiency in the government's efforts to maintain peace and order;

WHEREAS, numerous task forces have been created to deal with specific crimes and there is a need to streamline these task forces to rationalize resources and harmonize strategies that will intensify the fight against criminality;

WHEREAS, there is an urgent need for a sustained, relentless and dedicated campaign to address heinous crimes in the country;

WHEREAS, Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987 provides the President with continuing authority to organize the Office of the President;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. *Creation of National Anti-Crime Task Force (NACTAF).* There is hereby created a National Anti-Crime Task Force (NACTAF) under the PAOCC. The NACTAF herein created shall be headed by the Secretary of the Interior and Local Government as the NACTAF Head. The NACTAF Head shall be supported by a Deputy NACTAF Head and an Executive Director.

The NACTAF shall be manned by a composite team from the law enforcement and related agencies, whose structure and staffing shall be determined by the SILG, subject to the approval of the PAOCC.

Section 2. *Amendment of Section 2 of Executive Order No. 295 (s. 2000).* The Secretary of the Interior and Local Government is hereby designated as the Vice-Chairman of the PAOCC. The National Security Adviser shall remain in the PAOCC as Member thereof.

Section 3. *Powers and Functions.* The NACTAF shall have the following powers and functions:

- a. Direct the conduct of operations and cause the immediate arrest and investigation of crime suspects and their cohorts, with due regard to constitutional processes;
- b. Conduct intelligence and counter-intelligence operations to identify crime suspects and their cohorts;
- c. Refer the case/s at hand, as the NACTAF may deem proper and necessary, to the Department of Justice and other investigative bodies for proper disposition of the case;

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- d. Monitor and follow-up the progress of on-going investigation and prosecution of cases of which NACTAF has taken cognizance;
 - e. Refer to other agencies cases which involve alleged proceeds and gains of the crime for purposes of initiating forfeiture and seizure proceedings;
 - f. In coordination with other agencies, select personnel for detail to NACTAF;
 - g. Call upon any department, bureau, office, agency or instrumentality of the Government, including government-owned and/or controlled corporations and local government units in the anti-crime drive for a more resolute prevention, detection and investigation of crimes and prosecution of perpetrators;
 - h. Subject to existing laws, grant monetary rewards or incentives to informants giving vital information leading to the successful prosecution of criminal offenders;
 - i. Subject to existing laws, coordinate with the Witness Protection Security and Benefits Program Committee of the Department of Justice to evaluate and assess witnesses who may qualify under the provisions of Republic Act No. 6981, otherwise known as the Witness Protection And Benefit Act;
 - j. Develop public awareness and information campaigns, in partnership with local government units and civic organizations, to encourage public participation in the government's anti-crime effort;
 - k. Recommend the issuance of appropriate policies and/or the legislation of laws that would hasten the arrest and prosecution of criminals and their accessories;
 - l. Undertake research work and maintain a database of information relating to heinous crimes, offenders, modus operandi, victims and other information that may be submitted or culled from the reports of various law enforcement agencies for the purpose of advancing the fight against criminality and the efforts at improving the administration of justice;
 - m. Establish mechanisms for cooperation and joint-operations, as may be required, with international law enforcement agencies as well as other concerned international organizations in accordance with law; and
 - n. Perform such other powers and functions as may be necessary for the effective discharge of its mandate as may be assigned by the President.

Section 4. *Offenses Covered.* In the discharge of its functions, the NACTAF shall have the authority to take cognizance of heinous crimes, including those defined and penalized under Republic Act No. 7659 (Heinous Crime Law), as amended, and other related laws. The NACTAF may also take cognizance of other crimes as may be directed by the President.

Section 5. *Streamlining of Anti-Crime Bodies.* The NACTAF shall conduct an assessment of anti-crime bodies created by executive issuances with the end in view of recommending to the President their retention, abolition or reconstitution under the NACTAF.

Section 6. *Coordinating Instructions.* Nothing in this Executive Order shall be construed as a derogation of the PNP's role as the primary general law enforcement agency of the country pursuant to Republic Act No. 6975 and Republic Act No. 8551. Accordingly, pursuant to Section 10 of Executive Order No. 295 (s. 2000), close coordination and cooperation shall be undertaken by the Chairman of the NACTAF, the Chief of the PNP and other heads of law enforcement agencies, to ensure synergy in the overall anti-crime campaign.

Section 7. *Reports.* The NACTAF shall submit quarterly reports to the President, copy furnished the PAOCC, of its activities with appropriate recommendations.

Section 8. *Funding.* The NACTAF's operational budget shall be sourced from the budget of the PAOCC and other available funds. Subsequently, NACTAF's budget shall be incorporated in the budget proposal for the PAOCC under the Office of the President.

Section 9. *Operating Guidelines.* The NACTAF shall adopt such operating guidelines as may be necessary to implement this Executive Order.

Section 10. *Repealing Clause.* All other rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order are hereby deemed repealed or modified accordingly.

Section 11. *Effectivity.* This Executive Order shall take effect immediately.

DONE in the City of Manila, this 23rd day of September, in the Year of our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). [*Executive Order Nos.: 401 - 500*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 464

ENSURING OBSERVANCE OF THE PRINCIPLE OF SEPARATION OF POWERS,
ADHERENCE TO THE RULE ON EXECUTIVE PRIVILEGE AND RESPECT FOR THE RIGHTS
OF PUBLIC OFFICIALS APPEARING IN LEGISLATIVE INQUIRIES IN AID OF LEGISLATION
UNDER THE CONSTITUTION, AND FOR OTHER PURPOSES

WHEREAS, the Constitution guarantees the separation of powers of the Executive, Legislative and Judicial branches of the government;

WHEREAS, Article VI, Section 22 of the Constitution provides that heads of departments may, with the prior consent of the President, appear before and be heard by either House of Congress on any matter pertaining to their departments and, when the security of the State or the public interest so requires and the President so states in writing, such appearance shall be conducted in executive session;

WHEREAS, pursuant to the rule of executive privilege, the President and those who assist her must be free to explore alternatives in the process of shaping policies and making decisions since this is fundamental to the operation of the government and is rooted in the separation of powers under the Constitution;

WHEREAS, Article VI, Section 21 of the Constitution mandates that the rights of persons appearing in or affected by inquiries in aid of legislation by the Senate or House of Representatives shall be respected;

WHEREAS, recent events, particularly with respect to the invitation of a member of the Cabinet by the Senate as well as various heads of offices, civilian and military, have highlighted the need to ensure the observance of the principle of separation of powers, adherence to the rule on executive privilege and respect for the rights of persons appearing in such inquiries in aid of legislation and due regard to constitutional mandate;

WHEREAS, there is a need to prevent such inquiries in aid of legislation from being used for partisan political purposes, disrupting diplomatic relations with foreign governments, and weakening the stability of the State, thereby impeding the efforts of the government to generate and attract foreign investments;

WHEREAS, Republic Act No. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees provides that public officials and employees shall not use or divulge confidential or classified information officially known to them by reason of their office and not made available to the public to prejudice the public interest;

WHEREAS, Article 229 of the Revised Penal Code prohibits any public officer from revealing any secret known to him by reason of his official capacity or wrongfully delivering papers or copies thereof which he may have charge and which should not be published;

WHEREAS, the 1987 Constitution and the Administrative Code of 1987 provide that the President shall have control of all government departments, bureaus and offices and shall ensure that all the laws be faithfully executed.

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by the powers vested in me by law, do hereby order:

SECTION 1. *Appearance by Heads of Departments Before Congress.* - In accordance with Article VI, Section 22 of the Constitution and to implement the Constitutional provisions on separation of powers between co-equal branches of the government, all heads of departments of the Executive Branch of the government shall secure the consent of the President prior to appearing before either House of Congress.

When the security of the State or the public interest so requires and the President so states in writing, the appearance shall only be conducted in executive session.

SECTION 2. *Nature, Scope and Coverage of Executive Privilege.* -

(a) **Nature and Scope.** - The rule of confidentiality based on executive privilege is fundamental to the operation of government and rooted in the separation of powers under the Constitution (*Almonte vs. Vasquez*, G.R. No. 95367, 23 May 1995). Further, Republic Act No. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees provides that public officials and employees shall not use or divulge confidential or classified information officially known to them by reason of their office and not made available to the public to prejudice the public interest.

Executive privilege covers all confidential or classified information between the President and the public officers covered by this executive order, including:

- (i) Conversations and correspondence between the President and the public officials covered by this executive order (*Almonte vs. Vasquez*, G.R. No. 95367, 23 May 1995; *Chavez v. Public Estates Authority*, G.R. No. 133250, 9 July 2002);
- (ii) Military, diplomatic and other national security matters which in the interest of national security should not be divulged (*Almonte vs. Vasquez*, G.R. No. 95367, 23 May 1995; *Chavez v. Presidential Commission on Good Government*, G.R. No. 130716, 9 December 1998);
- (iii) Information between inter-government agencies prior to the conclusion of treaties and executive agreements (*Chavez v. Presidential Commission on Good Government*, G.R. No. 130716, 9 December 1998);
- (iv) Discussions in closed-door Cabinet meetings (*Chavez v. Presidential Commission on Good Government*, G.R. No. 130716, 9 December 1998);
- (v) Matters affecting national security and public order (*Chavez v. Public Estates Authority*, G.R. No. 133250, 9 July 2002).

(b) **Who are covered.** - The following are covered by this executive order:

- (i) Senior officials of executive departments who in the judgment of the department heads are covered by the executive privilege;
- (ii) Generals and flag officers of the Armed Forces of the Philippines and such other officers who in the judgment of the Chief of Staff are covered by the executive privilege;
- (iii) Philippine National Police (PNP) officers with rank of chief superintendent or higher and such other officers who in the judgment of the Chief of the PNP are covered by the executive privilege;
- (iv) Senior national security officials who in the judgment of the National Security Adviser are covered by the executive privilege; and
- (v) Such other officers as may be determined by the President.

SECTION 3. *Appearance of Other Public Officials Before Congress.* - All public officials enumerated in Section 2 (b) hereof shall secure prior consent of the President prior to appearing before either House of Congress to ensure the observance of the principle of separation of powers, adherence to the rule on executive privilege and respect for the rights of public officials appearing in inquiries in aid of legislation.

SECTION 4. *Repealing Clause.* - All executive issuances, orders, rules and regulations or parts thereof inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 5. *Separability Clause.* - If any section or provision of this executive order shall be declared unconstitutional or invalid, the other sections or provisions not affected thereby shall remain in full force and effect.

SECTION 6. *Effectivity.* - This Executive Order shall take effect immediately.

DONE in the City of Manila, this 28th day of September, in the Year of our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). [*Executive Order Nos.: 401 - 500*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 465

FURTHER AMENDING EXECUTIVE ORDER 70 DATED FEBRUARY 11, 2002 AS AMENDED BY EXECUTIVE ORDER 216 DATED JUNE 9, 2003 ENTITLED “DECLARING PORTIONS OF THE PROPERTY OF THE BASES CONVERSION AND DEVELOPMENT AUTHORITY LOCATED IN FORT BONIFACIO AND ITS ENVIRONS AS SOCIALIZED HOUSING SITES AND PROVIDING FOR THE DISPOSITION THEREOF TO QUALIFIED OCCUPANTS AND BENEFICIARIES”, CLARIFYING THE TRANSFER OF OWNERSHIP AND ADMINISTRATION, AND DEFINING THE DUTIES AND ROLES OF THE IMPLEMENTING AGENCIES

WHEREAS, pursuant to Section 7 of Republic Act (RA) 7227, as amended by RA 7917, the President issued Executive Order (EO) 40, s. 1992, transferring the ownership of certain Metro Manila military camps such as portions of Fort Bonifacio to the Bases Conversion and Development Authority (BCDA), and prioritizing the same for privatization and disposal;

WHEREAS, pursuant to Section 8 (d) (3) of RA 7227 as amended by RA 7917, twelve percent (12%) of the proceeds from the sale of properties transferred to BCDA for disposition after deducting all expenses related thereto, shall be used to finance the National Shelter Program (NSP), the mass social housing projects and the concessional and long-term housing loan assistance for the underprivileged and homeless citizens;

WHEREAS, EO 70, s. 2002, as amended by EO 216, s. 2003, transferred to the Housing and Urban Development Coordinating Council (HUDCC) the administration and control of certain properties in Fort Bonifacio owned by BCDA with a total area of 119 hectares for disposition to qualified residents;

WHEREAS, due to prior institutional arrangements entered into by BCDA, the scope of EO 70 needs to be redefined to exclude the Pamayanang Diego Silang;

WHEREAS, there is a need to transfer ownership of the properties subject of this EO to allow the recipient to effectively administer and dispose the properties transferred to it, for the purposes herein stated;

WHEREAS, HUDCC recognizes that the properties transferred to it by virtue of EO 70, including buildings and improvements thereon, represent part of the contribution of BCDA to NSP;

WHEREAS, there is a need to designate NHA as the lead implementing agency, to acquire ownership of the said property, and to be included as member of the Executive Committee formed under EO 70;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Sections 1, 2, 3, and 4 of EO 70 s. 2002 are hereby amended to read as follows:

“SECTION 1. Declaration as Socialized Housing Sites with Mixed Use Development. In view of the need to address the socialized housing needs of

informal settlers, to generate revenues to subsidize land development costs of the socialized housing areas, and to conform with land use zoning ordinances, the following BCDA properties in Fort Bonifacio and its environs are hereby declared as sites for socialized housing with mixed use development, and open for disposition to qualified occupants, beneficiaries and the general public:

- a) Lupang Katuparan (452, 917 sqm)*
 - Northwest Portion - Lot 2 of Pcs-00-007293*
 - Southeast Portion - Lot 3 of Pcs-00-007293*
- b) Philippine Centennial Village (130,807 sqm.)*
 - Developed Area - SWO-00-007607-001202-D*
 - Undeveloped Area - Boundary, Lots 11, 12, and 13 of SWO-00-001302*
- c) BHIT Park (350,000 sqm)*
 - The exact metes and bound of the BHIT Park area to be included in this Order shall be determined by BCDA.*

“This declaration shall include, in the case of Philippine Centennial Village, 1,140 residential units in 4-storey medium-rise buildings therein and in the case of Lupang Katuparan, the common areas, and the water and electrical facilities therein.

“Pamayanang Diego Silang with an area of 23.86 hectares shall be excluded from the coverage of Executive Order No. 70 and shall remain under the ownership, management, and control of BCDA.

“SECTION 2. Transfer of Ownership of Properties Covered under this Order to the National Housing Authority (NHA) as Lead Implementing Agency.

“The National Housing Authority is hereby designated as the lead implementing agency, and shall acquire ownership of the properties as provided in Section 1 of this Order. The BCDA and NHA shall execute the appropriate legal documents to perfect transfer of ownership of properties covered under this Order subject to such terms and conditions as may be mutually agreed upon by them.

Within sixty (60) days from the effectivity of this Order, the HUDCC shall turn over to the NHA all monies, accounts and records of its administration of BCDA properties turned over to it by virtue of Executive Order No. 70. Furthermore, NHA shall be free from charges, imposition and other liabilities accruing on the properties to be transferred to NHA.”

“SECTION 3. Executive Committee. An Executive Committee shall be created as the policy-making body in the implementation of this Order. It shall be composed of HUDCC as Chairman and the following as members: NHA, BCDA, DENR, PCUP, DND/AFP, the LGU of Taguig City, and the Congressional Representative of Taguig City. The Executive Committee shall have the following responsibilities:

- a. Provide the policies and guidelines for the implementation of this Order; and*
- b. Define and delineate the roles and responsibilities of various government agencies, people’s organizations and individual beneficiaries in the implementation of this Order.*

“SECTION 4. Funding. The NHA shall formulate a budget to implement this Order taking into account the funding requirements for the various activities (e.g. social preparations, census and tagging, ground survey, mobilization, etc.) that must be undertaken in connection hereof. The Department of Budget and Management shall ensure the provision of the funding requirements of the Project, subject to existing laws, rules and regulations.”

SECTION 2. The new Section 5 is hereby added to read as follows:

“SECTION 5. The funds for the purchase of the subject properties shall be sourced from the twelve percent (12%) share of the National Shelter Program under Republic Act No. 7227, as amended.

The Executive Committee, in coordination with the Department of Budget and Management, shall formulate the necessary guidelines and/or procedures to carry out the provisions of this Section.”

SECTION 3. A new Section 6 is hereby added to read as follows:

“SECTION 6. All properties identified and/or classified herein as easements shall be retained as such and shall not be subject for socialized housing use. All properties not expressly included in this Order are hereby excluded.”

SECTION 4. Section 5 of EO 70 is hereby re-numbered as Section 7.

SECTION 5. This EO shall take effect immediately.

Done in the City of Manila, this 3rd day of October, in the year of Our Lord, two thousand five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 466
TRANSFERRING THE ADMINISTRATION OF THE ECONOMIC SUPPORT FUND
FROM THE DEPARTMENT OF FINANCE TO THE OFFICE OF EXTERNAL AFFAIRS

WHEREAS, administration of the Economic Support Fund (ESF), one of the financial resources of the national government used to finance priority development projects and programs, was transferred to the Department of Finance (DOF) from the Office of the Presidential Adviser for Regional Development (OPARD) by virtue of Executive Order 250 s. 2003.

WHEREAS, the OPARD was abolished by virtue of EO 354, its functions, budget, assets and personnel was transferred to the Office of Constituency Affairs renamed Office of External Affairs (OEA) under EO 367.

WHEREAS, one of the functions inherited by the OEA from the OPARD was to advise the President on matters concerning the socio-economic development of the various regions and provide timely analyses and recommendations on critical and strategic policy and operational issues and concerns relative to regional development;

WHEREAS, the ESF funds may be tapped as source for implementation of regional development projects;

WHEREAS, the OEA is in a better position to identify projects and programs needed by each region for economic development;

WHEREAS, the ESF have been efficiently and effectively administered by the OPARD Secretariat, now with the OEA, due to the familiarity of the staff handling the ESF having managed the same since its inception;

WHEREAS, until now, the OEA have been administering the ESF, handling the collection activities and reconciling the ESF Books of Account and clearing accounts of the LGU's which availed the ESF.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Administration of the ESF as well as its appropriations, funds, records, equipment, facilities, other properties, and assets and liabilities derived from the defunct ESF Secretariat are hereby transferred to the Office of External Affairs (OEA).

Section 2. For the efficient administration, the OEA shall issue guidelines for the availment and utilization of the ESF collections.

Section 3. All Executive Orders, rules and regulations and other issuances or parts thereof, which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

Section 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 5th day of October, in the year of Our Lord, Two Thousand Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 467
DEFINING THE IMPLEMENTATION ARRANGEMENTS FOR THE LAND ADMINISTRATION
AND MANAGEMENT PROJECT PHASE 2, THE CREATION OF ONE-STOP-SHOPS,
AND FOR OTHER PURPOSES

WHEREAS, the government has committed to reform the Land Administration and Management (LAM) sector as an instrument for poverty reduction and promotion of economic growth through the implementation of the first phase of Land Administration and Management Project (LAMP 1);

WHEREAS, the successful implementation of the learning and innovation phase under LAMP 1 which laid the foundation for replication of improved approaches to land administration and in pursuing further the policy and institutional reforms necessitates the implementation of second phase of the project (LAMP 2) to sustain the momentum already achieved;

WHEREAS, the creation of the Presidential Task Force LAMP under Executive Orders No. 82, series of 2002, to ensure the expeditious implementation of the Program, including the Project of the World Bank and Australian Government related to the Program, needs to be transformed under LAMP 2 into a more regular body to strengthen synergy and consensus among concerned government agencies and stakeholders on land administration and management;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Land Administration and Management Project-National Steering Committee.* - There is hereby created a Land Administration and Management Project National Steering Committee (LAMP-NSC) to ensure effective coordination among agencies. The LAMP-NSC shall be under the supervision of the Office of the Executive Secretary. The LAMP-NSC shall be composed of the following:

Chairperson:

Secretary, Department of Environment and Natural Resources (DENR)

Members:

Representative, Department of Finance (DOF)
Representative, Department of Justice (DOJ)
Representative, National Economic Development Authority (NEDA)
Representative, Department of Agrarian Reform (DAR)
Representative, Department of Budget and Management (DBM)
Representative, Land Registration Authority (LRA)
Representatives, National Anti-Poverty Commission/Basic Sectors' Council

Representative from a Non-Government Organization

Private sector representative, preferably from the real estate development and/or banking industries, to be appointed by the DENR Secretary subject to the approval of the LAMP-NSC

Chair(s) of the LAMP Local Steering Committee

Government representatives to the NSC shall be at least the third highest official of the agency or its equivalent. The DENR-Project Coordination Office (DENR-PCO), herein defined, shall serve as Secretariat of the NSC.

SECTION 2. *Policy Direction.* - The LAMP-NSC shall provide policy direction and oversight to the implementation of the LAMP 2. The LAMP-NSC shall:

On Long Term Development Plan for Land Administration and Management:

1. Review, endorse and adapt the long term development plan as the long terms vision, goals and strategic directions for the LAM sector;
2. Ensure its consistency and integration with national programs and policies of the government;

On Project Strategy and Direction:

1. Review over-all project strategy and direction to ensure continuing relevance of the project, alignment with government policies, programs and priorities;
2. Review policy recommendations resulting from the various project components and policy studies;
3. Promulgate policy guidance on appropriate measures to be taken by the project to address policy gaps and needs;

On Project Oversight and Coordination:

1. Review project performance and planned outcomes and identify policy issues that have to be addressed;
2. Establish and build consensus among participating agencies and stakeholders on the institutional and policy reforms being instituted;
3. Monitor compliance of participating agencies to their commitments to the project specially, the DENR and LRA, to achieve targets on land titling;
4. Recommend policies for the effective management of the Innovation Support Fund;
5. Confirm the selection of pilot sites and expansion areas for the land tenure and valuation components;
6. Confirm the designation of the One-Stop Shop Manager.

SECTION 3. *Lead Agency.* - The DENR is hereby designated as the lead agency of LAMP 2 and shall be responsible for achieving the project outcomes under the following components: (i) Policy Development; (ii) Institutional Development and Capacity Building; (iii) Tenure Security and (iv) Project Management. It shall also integrate and coordinate the implementation of the Valuation Component of LAMP 2.

SECTION 4. *Powers and Functions of the LAMP-NSC Chair.* - The Secretary of the DENR shall serve as the Chair of the LAMP-NSC and shall have the following power and functions:

1. Regularly convene the LAMP-NSC to ensure that reform process for LAM sector is being undertaken;
2. Call on other agencies of the government to extend full support to the project, including the policy reform agenda and long term LAM development program;
3. Establish the DENR-PCO to oversee the day to day operations, management and coordination of project activities;
4. Designate a Project Executive Director to head the PCO; and
5. Submit regular reports to the President through the Executive Secretary.

SECTION 5. *LAMP 2 Valuation Component Implementation.* - The DOF shall be responsible for the implementation of the Valuation Component of LAMP 2 and establish a Project Management Office (PMO), to be headed by a Component Manager designated by the DOF, to oversee the day to day operations, management and coordination of the project activities.

SECTION 6. *LAMP 2 Tenure Security Component Implementation.* - The LRA shall perform a key role under the Tenure Security Component of the project. It shall have the following functions/duties:

1. Support the advocacy for the reform program for LAMP 2 such as the establishment of the Land Administration Authority (LAA);
2. Ensure complementation of its projects and programs and regular operations with LAMP 2;
3. Designate appropriate official and staff to various activities of LAMP 2; and
4. Mobilize the concerned Registry of Deeds in the operations of the OSS and all titling activities under the project such as in the provision of records, information and data on titles, etc.

SECTION 7. *Creation of One-Stop Shop.* - There is hereby created One-Stop Shops (OSS) for LAMP in each of the participating provinces in the project. The OSS shall provide an integrated delivery of services to the public to facilitate land-related transactions. The OSS shall house the offices of the Registry of Deeds, LAMP Provincial Project Implementation Offices (PPIOs), representatives from the DENR regional and provincial offices, DAR, Bureau of Internal Revenue (BIR), Local Government Unit (LGU) Assessor's Office and other relevant offices as may be deemed appropriate. These agencies shall provide the required support to ensure the efficient operation of the OSS and its replication in other provinces. The OSS shall be headed by a manager, who is either the LRA Register of Deeds or the appropriate DENR officer, to be recommended by DENR-PCO subject to the confirmation of the LAMP-NSC.

SECTION 8. *Role of DENR and LRA in OSS Operations.* - The DENR and the LRA, through the OSS Manager, shall perform the following responsibilities in the operations of the OSS:

1. Develop a joint OSS vision and work program;
 2. Review and develop systems and procedures for the delivery of services in the OSS that will ensure streamlined requirements and processes;
 3. Establish partnership agreements among participating agencies such as the BIR, DAR and LGU Assessors' Office in providing integrated delivery of land administration services;
-

4. Maintain an updated set of Cadastral Index Maps (CIM) and database to facilitate the provision of accurate and updated land records to the public;
5. Conduct regular assessment of OSS operations including the conduct of exit surveys, studies and documentation to identify policy and operations issues;
6. Implement an information and education program to promote OSS and improve public awareness and participation in the land administration process;
7. Submit regular reports to LAMP-NSC.

SECTION 9. *Local Steering Committees.* - To ensure effective interagency coordination and implementation at the local level, Local Steering Committees (LSC) are hereby created in the city/ municipality where the Tenure Security Component and/or Valuation Component will be implemented. The LSC shall be composed of the following:

Chairperson:

Provincial Governor

Members:

Regional/Provincial heads of the participating agencies (DENR, DAR, BIR, Department of Agriculture, Bureau of Local Government Finance and Register of Deeds);
Civil society representatives to be recommended by the Provincial Governor subject to the approval of the LSC;
Representative from the private sector to be recommended by Provincial Governor subject to the approval of the LSC;
Representative from the academe to be recommended by the Provincial Governor subject to the approval of the LSC
President of the province's League of Mayors;
President of the province's League of Vice-Mayors;
President of the province's League of Councilors; and
President of the Association of Barangay Captains in the province.

The DENR-PPIO shall serve as the Secretariat of the LSC.

SECTION 10. *Functions of the LSC.* - The LSC shall have the following functions:

1. Convene regularly to ensure LAM reform process is being undertaken at the local level;
2. Provide policy guidance to project implementation at the field level;
3. Coordinate the activities of the land tenure, particularly the OSS operations and valuation component;
4. Lead the promotion and advocacy of reform agenda/program at the local level;
5. Review project performance at the local level and recommend to the LAMP-NSC measures to address issues and concerns.

SECTION 11. *Repealing Clause.* - Executive Order No. 82, series of 2002, creating the Presidential Task Force for LAMP is hereby amended accordingly. All other orders, circulars, and issuances inconsistent herewith are hereby deemed amended or modified accordingly.

SECTION 12. *Effectivity.* - This Executive Order shall take effect immediately.

DONE in the City of Manila, this 5th day of October, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). [*Executive Order Nos.: 401 - 500*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 468
REVITALIZING THE VOLUNTEER PROBATION AIDE (VPA) PROGRAM OF THE
PAROLE AND PROBATION ADMINISTRATION

WHEREAS, one of the major governance reform initiatives of the government is the development of a justice system that is responsive and accessible to the poor and disadvantaged by strengthening the other pillars of justice through reforms in the Department of Justice;

WHEREAS, there is a need to heighten and maximize community involvement and participation in the community-based program of probation and parole in the prevention of crime, the treatment of offenders, and criminal justice administration;

WHEREAS, there is a need to change the emphasis of crime prevention from being a police work to being a collective concern of the entire community;

WHEREAS, Presidential Decree No. 968, otherwise known as the Probation Law of 1976, as amended, authorizes the appointment of citizens of good repute and probity to act as volunteer probation aides, thus, there is a great need to implement the VPA program at the local level as a practical and effective means of involving the community, it being the fifth pillar of the criminal justice system;

WHEREAS, it is necessary to amplify and diversify community human resources in meeting the rehabilitation needs of offenders.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Revitalization of the Volunteer Probation Aide (VPA) Program.* – The volunteer probation aide program shall hereby be revitalized by the Parole and Probation Administration (PPA) to strengthen community involvement and participation in crime prevention, treatment of offenders, and the administration of criminal justice.

SECTION 2. *Recruitment, Selection, Training and Appointment of Volunteer Probation Aides.* – The PPA shall continue to vigorously recruit, select, train and appoint citizens of good repute and probity to effectively provide assistance and other specialized services to the Administration in the supervision and rehabilitation of offenders and along the area of crime prevention.

SECTION 3. *Coordination with Other Government Agencies, Non-Government Organizations and People's Organizations.* – The PPA shall coordinate with other government agencies, non-government organizations and people's organizations that are involved in developing programs related to volunteerism for the purpose of developing programs related to volunteerism and of attaining program impact and synergy. Specifically, the support and cooperation of the Philippine National Volunteer Service Coordinating Agency, the Department of the Interior and Local Government, the Philippine National Police Community Relations Office, the National Police Commission, the *Liga ng mga Barangay*, the Department of Social Welfare and Development, and the National Prosecution Service of the Department of Justice, among others, shall be tapped for the foregoing purpose.

SECTION 4. *Review and Revision of Rules and Regulations.* – The PPA is hereby directed to review the applicable rules and regulations relative to the volunteer probation aide program. In accordance with the provisions of the Administrative Code of 1987 and the Probation Law of 1976, as amended, the PPA shall establish and prescribe, subject to the approval of the Secretary of Justice, new rules and regulations to govern the volunteer probation aide program of the PPA.

SECTION 5. *Adjustment in Organization, System and Operations.* – Within ninety (90) days from effectivity of this Executive Order, the PPA shall review its existing organization, system and operations and submit a report with its recommendations to the Secretary of Justice, who shall review and endorse the same to the Office of the President for approval. Any changes in organization and staffing shall be sourced from the existing personnel itemization of the PPA subject to the approval of the Department of Budget and Management and to the requirements of the rationalization plan of the government.

SECTION 6. *Funding.* – The financial resources for any changes in organization and staffing shall be taken from available funds of the PPA.

SECTION 7. *Repealing Clause.* – All executive orders, instructions, rules and regulations or parts thereof which are contrary or inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 8. *Effectivity.* – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 11th day of October, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). [*Executive Order Nos.: 401 - 500*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 469
CREATING THE MINERALS DEVELOPMENT COUNCIL,
DEFINING ITS POWERS AND FUNCTIONS

WHEREAS, Sec. 2 Art. XII of the Constitution provides that the State owns, and has full control and supervision over all natural resources;

WHEREAS, to be more effective in the development and utilization of natural resources, there is a need to mobilize the entire government bureaucracy to support, enhance and strengthen the operations and programs relative to minerals development;

WHEREAS, under Section 31, Chapter 10, Title III, Book II of the Administrative Code of 1987, the President has the continuing authority to reorganize the administrative structure of the Office of the President;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. *Creation.* There is hereby created a Minerals Development Council (MDC) under the Office of the President that shall have the primary responsibility of advancing the government policy of responsible and sustainable development of the State's minerals resources.

Section 2. *Composition.* The Council shall be composed of the following:

Department of Environment and Natural Resources - Chairman
Presidential Adviser for Multilateral Development - Vice Chairman
Department of the Interior and Local Government - Member
Department of Finance - Member
National Economic Development Authority - Member
Department of Trade and Industry - Member
Department of Land Reform - Member
Department of Agriculture - Member
Department of National Defense - Member
Department of Labor and Employment - Member
Presidential Management Staff - Member
National Commission on Indigenous Peoples - Member
National Anti-Poverty Commission - Member
Philippine Information Agency - Member
Chamber of Mines of the Philippines - Member

The Chairman of the MDC, serving in an *ex officio* capacity, shall preside at all meetings of the MDC and ensure that all policies, directives, plans and programs of the MDC are faithfully carried out.

There shall also be an Executive Director with the rank of Undersecretary, who shall be appointed by the President and who shall manage the day-to-day affairs of the MDC.

The representatives from the members of the MDC shall have the rank of Undersecretaries. The Chamber of Mines of the Philippines shall be represented by its President.

Section 3. Powers and Functions. The MDC shall exercise, among others, the following powers and functions:

- a. Enlist the assistance of any branch, department, bureau, office, agency or instrumentality of the government, including government-owned and controlled corporations, to implement programs relative to minerals development, to harmonize investment-related requirements and procedures, and to facilitate and expedite investments in the minerals sector;
- b. Assist investors in the minerals sector by providing information, guidance, direction, and solutions concerning their investment problems and needs;
- c. Facilitate easier direction of tasks and reporting of accomplishments of the objectives set out in the Minerals Action Plan that arose from E.O. 270 s. 2004, as amended, otherwise known as the National Policy Agenda on Revitalizing Mining in the Philippines.
- d. Review all aspects related to the investments in the mineral industry, recommend short-term and long-term measures, and take appropriate actions to address critical policy, institutional implementation and operational issues and concerns relative to the investments in the mineral industry, and monitor the effective implementation of all programs on minerals development;
- e. Advise the President on timely and effective solutions to the problems impeding the entry of investments in the minerals industry;
- f. Promote investments in the minerals industry, including but not limited to, organizing and coordinating investment road shows, missions and fora;
- g. Prepare and submit reports to the President on the status of investments in the minerals industry; and
- h. Create Regional Mineral Development Councils in key regions where there exist priority mineral development projects as determined by the DENR-MGB.
- i. Perform such other functions as may be directed by the President

Section 4. Funding. Initial funding for the operations of the MDC shall be taken from such available sources as may be identified by the Department of Budget and Management (DBM).

Appropriations for the succeeding years shall be incorporated in the budget proposal of the Office of the President.

Section 5. Implementing Guidelines. The MDC shall adopt such operating guidelines as may be necessary to implement and achieve the objectives of this Order.

Section 6. Repealing Clause. All orders, rules, regulations and issuances or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

Section 7. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 11TH day of October, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 469-A

AMENDING EXECUTIVE ORDER NO. 469 DATED 11 OCTOBER 2005 ENTITLED
“CREATING THE MINERALS DEVELOPMENT COUNCIL, DEFINING ITS POWERS AND
FUNCTIONS” TO INCLUDE THE REPRESENTATION AND PARTICIPATION OF THE LOCAL
GOVERNMENT UNITS THROUGH THE LEAGUE OF MUNICIPALITIES OF THE PHILIPPINES,
LEAGUE OF PROVINCES OF THE PHILIPPINES, LEAGUE OF CITIES OF THE PHILIPPINES
AND LIGA NG MGA BARANGAY SA PILIPINAS

WHEREAS, the Minerals Development Council was created pursuant to Executive Order No. 469 dated 11 October 2005;

WHEREAS, there is a need to increase the membership of the composition of the council to make certain broader participation and more extensive representation of Local Government Units

WHEREAS, the inclusion of the representation of the Local Government Units will ensure the promotion of socially responsible mining development at the local level;

NOW, THEREFORE, I, **GLORIA MACAPAGAL-ARROYO**, President of the Republic of the Philippines, by virtue of the powers vested in me, do hereby order:

SECTION 1: Section 2 of E.O. No. 469 s. 2005 is hereby amended to read as follows:

“**SECTION 2:** Composition. – The Council shall be composed of the following:

Department of Environment and Natural Resources – Chairman
Presidential Adviser for Multilateral Development – Vice Chairman
Department of Interior and Local Government – Member
Department of Finance – Member
Department of Trade and Industry – Member
Department of Land Reform – Member
Department of Agriculture – Member
Department of National Defense – Member
Department of Labor and Employment – Member
Presidential Management Staff – Member
National Commission on Indigenous Peoples – Member
National Anti-Poverty Commission – Member
Philippine Information Agency – Member
Chamber of Mines of the Philippines – Member
League of Municipalities of the Philippines – Member
League of Provinces of the Philippines – Member
League of Cities of the Philippines – Member
Liga ng mga Barangay sa Pilipinas – Member

The Chairman of the MDC, serving in an ex officio capacity, shall preside at all meetings of the MDC and ensure that all policies, directives, plans and programs of the MDC are faithfully carried out.

There shall also be an Executive Director with the rank of Undersecretary, who shall be appointed by the President and who shall manage the day-to-day affairs of the MDC.

The representatives from the members of the MDC shall have the rank of Undersecretaries. The Chamber of Mines of the Philippines shall be represented by its President.”

SECTION 2: All other provisions of the said Order shall remain in force.

SECTION 3: This Executive Order shall take effect immediately.

Done in the City of Manila, this 28th day of December, in the year of Our Lord, Two Thousand and Seven.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2007). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 470
ENHANCING AND AMENDING EXECUTIVE ORDER NO. 485 S. 1998 ENTITLED
“ESTABLISHING THE YOUTH ENTREPRENEURSHIP PROGRAM AND CREATING
THE NATIONAL COOPERATORS COUNCIL, PROVIDING FOR ITS FUNCTIONS
AND FOR OTHER PURPOSES”

WHEREAS, the National Youth Commission (NYC) pursuant to its mandate under R.A. 8044, series of 1995, has formulated the Youth Entrepreneurship Program which aims to develop the entrepreneurial skills of the youth and encourage them to participate and organize business enterprises;

WHEREAS, among the targets in the Ten-Point Agenda of this administration is the creation of three million entrepreneurs;

WHEREAS, the private business sector plays a critical role in ensuring the success of the programs on entrepreneurship;

WHEREAS, the implementation of the Youth Entrepreneurship Program can be strengthened by the participation of the private business sector;

WHEREAS, there is a need to amend Executive Order No. 485 to institutionalize the participation of the private business sector in the Youth Entrepreneurship Program;

WHEREAS, Section 31, Chapter 10, Title III, Book III of Executive Order No. 292 (Administrative Code of 1987), grants to the President the continuing authority to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Sections 1, 3 and 5 of Executive Order No. 485, series of 1998, are hereby amended to read as follows:

“SECTION 1. Approval of the Youth Entrepreneurship Program (YEP). The YEP as formulated by the NYC is hereby approved for implementation. The Program, which is envisioned to develop the entrepreneurial skills of the youth and thereby contribute to nation-building, shall have the following components:

- a. Entrepreneurship Education, which involves the immersion of the youth in the principles and ideas around the character, psychological and attitudinal demands of entrepreneurship, as well as the provision of technical assistance such as basic skills training on the preparation/development of business plans, starting and managing business enterprises and other management efficiency enhancement modules;*
- b. Credit Assistance and Lending, which involves the provision of information on available credit and lending facilities in government agencies and the*

system/mechanism to access available resources for viable and profitable business proposals;

- c. **Role Modeling and Mentoring**, which involves the exposure of the youth to personalities in the business community who are worth emulating; establishment of a mentor-apprentice relationship between the Youth and the Agency, local business club or business personality; organizing meetings and activities; making a dedicated web-site that can provide venues for interactions; and giving the youth insight on market trends, business opportunities and new technologies that will improve products, services and business operations;
- d. **Business Plan Development and Training**, which involves the provision of technical assistance such as basic skills training on the preparation/development of business plans, starting and managing business enterprises, continuing entrepreneurship education and competence development activities aimed at improving business operations;
- e. **Market Syndication and Linkaging**, which will link the young entrepreneurs with the market through the organization of trade fairs and/or business matching activities; and
- f. **Business Information Network**, which involves the provision of continuing information assistance to young entrepreneurs concerning market trends, other business opportunities and technologies that will improve products, services and business operations through publications or internet access.”

x x x

“**SECTION 3. Composition.** The Council shall be composed of the Secretary of the Department of Trade and Industry as Chairman, the Chairperson of the National Youth Commission as Co-Chairman, the Presidential Consultant for Entrepreneurship, representing the private business sector, as Vice Chairman, and senior officers with the rank not lower than Assistant Secretary (or its equivalent) of the following agencies, as members:

- a. Department of Labor and Employment;
- b. Department of Education;
- c. Department of Social Welfare and Development;
- d. Department of the Interior and Local Government;
- e. Department of Agrarian Reform;
- f. Department of Science and Technology;
- g. Commission on Higher Education;
- h. Presidential Management Staff;
- i. Development Bank of the Philippines;
- j. Land Bank of the Philippines;
- k. Quedan Rural Credit Guarantee Corporation;
- l. Livelihood Corporation;
- m. Technology and Livelihood Resource Center;
- n. Technical Education and Skills Development Authority;

- o. *Cooperative Development Authority; and*
- p. *Small Business Guarantee and Finance Corporation”*

x x x

“SECTION 5. Enrollment of Programs under the YEP. The members of the Council shall identify and/or develop youth-oriented entrepreneurship programs (consistent with their respective mandates and policies) for enrollment under the Program. These enrolled programs shall be classified along the following major components: Entrepreneurship Education, Credit Assistance and Lending, Role-Modeling and Mentoring, Business Plan Development and Training, Market Syndication and Linkaging and Business Information Network.”

SECTION 2. Repealing Clause. All Executive Orders and other issuances or parts thereof, inconsistent with the provisions of this Executive Order, are hereby repealed or modified accordingly.

SECTION 3. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, Philippines, this 15th day of November, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 471
DIRECTING THE MERGER OF THE BOARD OF LIQUIDATORS (BOL)
AND THE PRIVATIZATION AND MANAGEMENT OFFICE (PMO)

WHEREAS, Executive Order 372 (s. 1950) mandated the Board of Liquidators (BOL) to gradually settle, dispose of and convey properties of abolished government corporations and former-enemy-owned entities within three years of the Board's creation;

WHEREAS, Executive Order 323 (s. 2000) created the Privatization and Management Office (PMO) to implement a disposition program for government corporations, assets and idle properties upon approval of the Privatization Council, which oversees the privatization program of the government;

WHEREAS, the merger of the BOL with the PMO will expedite the liquidation of assets and properties of abolished agencies under the stewardship of the BOL and improve the efficiency of the privatization program by removing duplicative functions in asset disposition;

WHEREAS, it is the Administration's policy to undertake a streamlining program to transform the bureaucracy into an efficient and results-oriented organization;

WHEREAS, under existing laws and jurisprudence, the President has continuing authority to reorganize the Executive Branch of Government.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Merger. - The functions, rights, personnel, properties, assets, resources, technologies, materials, and records, as well as the obligations and liabilities of the BOL are hereby merged with the PMO. The assets and/or rights, which the BOL is mandated to dispose under EO 372, shall be transferred to the National Government which shall entrust said assets and/or rights to the PMO.

The PMO shall be the surviving entity in the merger. As such, the administrative policies and operational guidelines of the PMO shall govern all transactions and disposition of the assets of the BOL.

Section 2. Creation of a Rationalization Plan. - Within sixty (60) days from the effectivity of this Order, and pursuant to Executive Order No. 366 (s. 2004) a rationalization and integration plan shall be formulated and implemented by the Privatization Council (PrC), in consultation with BOL and PMO. The plan shall include, among others, the following:

- (1) Core functions, programs, activities and services of the merged organization;
- (2) Changes in policy directions, functions, programs, staffing patterns and resources allocation;
- (3) Actions on units, functions, programs and projects which may be scaled down, phased out or abolished;
- (4) Financial restructuring plan to cover the effects of the streamlined set-up on the budgetary allocations, reallocation of expenditure items, and physical and financial assets;
- (5) Internal and external communication plan in conveying the rationalization process to those concerned.

Such plan, which is separate from the rationalization plan of the Department of Finance (DOF), shall be submitted to the Department of Budget and Management (DBM) for approval.

Section 3. Remittance and Utilization of Revenues. - The PMO shall be allowed to retain a portion not exceeding ten percent (10%) of the proceeds from the disposition of BOL properties, which shall serve as the revolving fund for the payment of costs and expenses incurred by the PMO in the conservation and disposition of government assets. Thereafter, the net proceeds collected or receipts of any kind from the disposition of all BOL properties shall be remitted to the National Treasury in the manner followed by the PMO, which is 60% for the Agrarian Reform Fund and 40% for the General Fund.

All special funds under Section 5 of EO 372 (s. 1950) are hereby referred to the Permanent Committee under Section 45, Book VI of EO 292 (1987) for evaluation and possible reversion to the General Fund.

Section 4. Budget for the merged PMO. - Upon merger, the operational income of the BOL shall be transferred to the PMO. By the fiscal year 2006, the budget for the operations of the merged PMO and BOL shall be incorporated in the General Appropriations Act.

Section 5. Early retirement for personnel who may be affected by the merger. - BOL personnel who may be affected by the merger shall be offered the early retirement/separation benefits under Executive Order 366 (s. 2004).

Section 6. Role of the PrC. - The PrC shall have the authority to approve any action on the disposition of properties of abolished agencies under the merged PMO including all pending disposition transactions of BOL awaiting final action from the Office of the President at the time this Executive Order has been issued. PrC shall issue the implementing guidelines for the effective implementation of this EO. It shall also monitor and assist the BOL and the PMO in the implementation of activities affecting the merger.

Section 7. Reporting Requirements. - The PMO shall submit a report to the Office of the President (OP), copy furnished the PMS, on the status of the merger within thirty (30) days after the effectivity of this Order and every quarter thereafter or as often as may be required by the OP.

Section 8. Repealing Clause. - EO 372 (s. 1950) and EO 350 (s. 2004) and all other orders, rules and regulations, and other issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

Section 9. Effectivity. - This Executive Order shall take effect immediately after its publication in the Official Gazette or in a newspaper of general circulation.

Done in the City of Manila, this 17th day of November, in the year of our Lord, two thousand and five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 472
TRANSFERRING THE NATIONAL NUTRITION COUNCIL FROM THE DEPARTMENT
OF AGRICULTURE TO THE DEPARTMENT OF HEALTH

WHEREAS, Presidential Decree No. 491 promulgated on 24 June 1974 created the National Nutrition Council (NNC) as the highest policy making and coordinating body on nutrition under the Office of the President;

WHEREAS, during the 1980 bureaucracy-wide reorganization including that of the Office of the President, NNC was transferred to the Department of Agriculture (DA);

WHEREAS, Executive Order No. 234, “Reorganizing the National Nutrition Council” issued on 22 July 1987 transferred and attached NNC from DA to the Department of Social Welfare and Development (DSWD) which reaffirmed the need for an inter-sectoral national policy making and coordinating body on nutrition;

WHEREAS, Section 27 of Executive Order No. 116 in relation to Section 25 of Executive Order No. 123, both series of 1987, authorized changes in the organization of the DA and the DSWD, respectively to promote efficiency and effectiveness in the delivery of public services;

WHEREAS, Administrative Order No. 88 issued on 26 August 1988 transferred NNC from the DSWD back to the DA with the representative of DA in the Governing Board designated as the NNC Chairperson;

WHEREAS, equally important to ensuring food security and addressing hunger, nutritional needs should be addressed during the first two years of life and the interventions should address the immediate needs as well as its root causes;

WHEREAS, in order to ensure that NNC shall be effective in the performance of its role, it shall be attached to a client-oriented agency addressing the needs of the priority target population groups;

WHEREAS, pursuant to the Administrative Code of 1987, the President has the continuing authority to reorganize the National Government.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law do hereby order the following:

SECTION 1. The National Nutrition Council is hereby transferred from the Department of Agriculture to the Department of Health.

SECTION 2. The Secretary of the Department of Health shall be the *ex-officio* Chairperson of the Governing Board of the National Nutrition Council with the Secretaries of Department of Agriculture and the Department of Interior and Local Government as *ex-officio* Vice-Chairpersons.

SECTION 3. The National Nutrition Council Executive Director shall undertake the steps necessary to ensure realignment of its operations to focus on client-based operations and prioritize addressing hunger and malnutrition and formulate the operational guidelines of this Executive Order.

SECTION 4. The National Nutrition Council shall endorse to donor agencies and the National Economic Development Agency project proposals for local funding and official development assistance

and is authorized, subject to existing laws and the usual government accounting and auditing rules and regulations, to generate and mobilize resources for addressing hunger and malnutrition consistent with the Millennium Development Goals.

SECTION 5. Except as herein provided and subject to the provisions of Executive Order No. 234, series of 1987, there shall be no changes in the existing structure and staffing pattern of the National Nutrition Council.

SECTION 6. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 30th day of November, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **MA. MERCEDITAS N. GUTIERREZ**

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 473

**TASKING THE DEPARTMENT OF ENERGY (DOE) TO PURSUE THE IMMEDIATE
EXPLORATION, DEVELOPMENT AND PRODUCTION OF CRUDE OIL FROM
THE CAMAGO-MALAMPAYA RESERVOIR**

WHEREAS, Article XII, Section 2 of the Constitution declares that all minerals, petroleum and other mineral oils, and other natural resources are owned by the State, and that the exploration, development, and utilization of these resources shall be under the full control and supervision of the State;

WHEREAS, on December 1990, the Republic of the Philippines, represented by the Department of Energy (“DOE”), entered into Service Contract No. 38 (“SC 38”) and engaged the services of a consortium, today composed of Shell Exploration B.V., Shell Philippines LLC, Chevron Malampaya LLC and PNOC-Exploration Corporation, as Contractor for the exploration, development and production of petroleum resources in an identified area offshore northwest of the province of Palawan;

WHEREAS, on 30 April 1998, the DOE and the SC 38 Contractor jointly declared that the petroleum found in the areas designated as the Camago-Malampaya and San Martin reservoirs are in commercial quantity;

WHEREAS, while the Camago-Malampaya Reservoir is known to contain both natural gas and oil resources, the SC 38 Contractor had expressed its position that it cannot undertake the development of the Camago-Malampaya oil leg since, based on its own evaluation, it is not commercially viable;

WHEREAS, oil exploration and production activities need to be urgently conducted in the Camago-Malampaya Reservoir at this time that extracting the volumes of resources from the oil leg is still possible as the conduct of the activity has not yet been significantly undermined by the continued production of natural gas;

WHEREAS, the increasing prices of oil and petroleum products in the world market also has made it urgent and imperative for the Government to aggressively pursue its energy independence agenda, including the development and production of domestic oil reserves;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Lead Agency.* The DOE, on behalf of the State, is hereby directed to immediately pursue the exploration, development and production of crude or black oil from the Camago-Malampaya Reservoir, respecting the existing rights of the SC 38 Contractor over the area and with paramount consideration of the national interest.

SECTION 2. *Integrated Assistance.* The DOE shall undertake the above-mentioned activities through the Philippine National Oil Company (“PNOC”), the government corporation mandated to undertake and transact business relative primarily to oil and petroleum operations, or its subsidiaries.

For this purpose, the DOE and PNOC or its designated subsidiary shall at once commence discussions on and define the terms of service for the exploration, development and production of crude or black oil from the Camago-Malampaya Reservoir.

In defining the terms of service thereof, the DOE and PNOC or its designated subsidiary may consult the SC 38 Contractor with the end in view of optimizing the joint operations of the concerned stakeholders in the production of natural gas and crude or black oil from the Camago-Malampaya Reservoir.

SECTION 3. *Third Party Participation.* The PNOC or its designated subsidiary may, if necessary, engage the participation of third parties in the exploration, development and production of the crude or black oil from the Camago-Malampaya Reservoir, subject to existing rights over the area, the requirements of applicable laws, government rules and regulations and prior approval of the DOE.

SECTION 4. *Reports.* The DOE shall submit regular reports to the President on the progress of its efforts in the implementation of this Executive Order.

SECTION 5. *Repealing Clause.* All other executive issuance, rules and regulations or parts thereof which are inconsistent with the provision of this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 6. *Separability Clause.* If any section or provision of this Executive Order shall be declared unconstitutional or invalid, the other sections or provisions not affected thereby shall remain in full force and effect.

SECTION 7. *Effectivity.* This Executive Order shall take effect immediately following its publication in the Official Gazette or in a newspaper of general circulation.

Done in the City of Manila, this 29th day of November, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **MA. MERCEDITAS N. GUTIERREZ**

Acting Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). [*Executive Order Nos.: 401 - 500*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 474

**CREATION OF THE PHILIPPINE STRATEGIC OIL, GAS, ENERGY RESOURCES AND POWER
INFRASTRUCTURE OFFICE (PSOGERPIO), AND DEFINING THE FUNCTIONS THEREOF**

WHEREAS, it is the policy of the State to ensure the quality, reliability, security and affordability of the supply of energy and power, and to enhance the inflow of capital and to promote the use of indigenous and new and renewable energy resources in order to reduce dependence on imported energy;

WHEREAS, the Department of Energy and the Philippine National Oil Company and its subsidiary companies are mandated to prepare, integrate, coordinate, supervise and control all plans, programs, projects and activities of the Government relative to exploration, development, production, utilization, distribution and conservation of energy;

WHEREAS, it is the responsibility of the State to protect the public interest as it is affected by the continued volatility of world oil prices, which has more than doubled in the last 18 months;

WHEREAS, under the “Electric Power Industry Reform Act of 2001”, the Department of Energy shall encourage private sector investments in the electricity sector and promote development of indigenous and renewable energy resources;

WHEREAS, major foreign banking and international financial institutions have expressed interest to enter into financing agreements with the Philippine Government to assist the private sector in the development of the country’s energy resources for alternative fuels and power that are considerably cheaper and cost effective in the long-run;

WHEREAS, given the crisis situation that has dawned upon our economy, there is an urgent need, and it so imperative for Government, to focus and intensify all efforts to promote, develop and fast-track crucial private sector-led oil, gas, energy resources, power and other energy projects; and with the constraints of time, there is a need to create an office for the purpose of coordinating the efforts of the Department of Energy and other departments and agencies in attracting investors and in promoting the use of indigenous and renewable energy resources and other energy sources to reduce dependence on imported energy and reduce energy cost to the consuming public.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. There is hereby created the Philippine Strategic Oil, Gas, Energy Resources and Power Infrastructure Office (PSOGERPIO) under the Office of the President and which shall hold office at the Department of Energy. It shall primarily promote, assist and fast-track crucial private sector-led oil, gas, energy resources, power and other energy projects to avert the fast approaching energy crisis. The Office shall be headed by a Presidential Assistant.

SECTION 2. The PSOGERPIO, herein known as the “Office”, shall:

- a. Develop the Five-Year Philippine Energy Crisis Strategic Plan (PECSP 2006-2010) which shall outline the plans, projects and strategies in averting any approaching energy crisis. The PECSP shall be updated annually by the Office;

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- b. Aggressively promote, develop and fast-track crucial private sector-led oil, gas, coal and other energy resources and power projects under the PECSP;
 - c. Certify energy projects as “national priority” based on the approved 5-year PECSP;
 - d. Undertake agreements with private entities in accordance with and in realization of strategic and “national priority” projects within the scope of the PECSP;
 - e. Undertake project development from project conceptualization, feasibility study, and detailed design preparation, project management and construction supervision;
 - f. In pursuit of this function, the Office shall arrange and negotiate financing from public finance, bilateral and multilateral Official Development Assistance (ODA) institutions, and from the private sector, subject to existing procurement, accounting and auditing rules and regulations;
 - g. Coordinate the efforts of the Department of Energy in attracting investors and in promoting the use of indigenous and renewable energy resources to reduce dependence on imported energy and reduce the energy cost of the consuming public. The DOE and its attached agencies shall likewise provide all the support and cooperation to the Office;
 - h. Coordinate activities among the agencies of the government and other entities concerned with, or responsible for, the swift implementation of various aspects of the Office’s projects and facilities;
 - i. All government agencies shall provide full support and cooperation to the Office in pursuit of its mandate; and,
 - j. Perform other functions that the President may direct.

SECTION 3. Repeal – All orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 4. Separability – If, for any reason, any part or parts of these provisions were declared unconstitutional and invalid, no other part of the provisions hereof shall be affected thereby.

SECTION 5. Effectivity – This Executive Order shall take effect immediately.

Done this 30th day of November 2005, in the City of Manila.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 475

**CREATING THE OFFICE OF THE PRESIDENTIAL ADVISER FOR JOB CREATION,
DEFINING ITS MANDATE, POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES**

WHEREAS, Article 2, Section 9 of the Constitution provides that the State shall free the people from poverty through policies that provide adequate social services, promote full employment and improve the quality of life for all;

WHEREAS, mindful of the mandate, the President of the Republic of the Philippines, in her inaugural address on June 30, 2004, unveiled a 10-point legacy program to create 6-10 million jobs, support 3 million entrepreneurs, and develop 2 million hectares of agribusiness land;

WHEREAS, the collateral objective of job creation is making food plentiful at reasonable prices to make our labor cost globally competitive;

WHEREAS, job creation, supporting entrepreneurs, and developing agribusiness land concerns not just the Department of Agriculture but other offices and agencies of the Government as well;

WHEREAS, in order for all concerned offices and agencies of the Government to have unity of purpose and consistency in action to achieve these objectives, there is a need to establish an office which shall coordinate, on a full time basis, the effective and timely implementation of the Government's commitments to job generation;

WHEREAS, Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987 vests upon the President of the Philippines the continuing authority to reorganize the administrative structure of her office;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Creation. – The Office of the Presidential Adviser for Job Creation (OPAJC) is hereby created under the Office of the President;

SECTION 2. Mandate. – The Presidential Adviser for Job Creation (PAJC) shall coordinate and monitor the effective and timely implementation of the Government's programs for job creation, support for entrepreneurs, agribusiness land development, and making food plentiful at reasonable prices with other government, non-government and private sector entities.

SECTION 3. Powers and Functions. – The PAJC shall have the following powers and functions:

1. Advise the President on cross-sectoral policies and programs that shall ensure the realization of the Government commitment to: create jobs, support entrepreneurs, develop agribusiness lands, and make food plentiful at reasonable prices;
2. Coordinate, monitor, serve as coordinating forum and periodically evaluate initiatives and projects of concerned government agencies, government-owned and controlled corporations and government financial institutions, as well as the private sector, to ensure the realization of the constitutional and administrative mandates outlined herein;
3. Call upon any agency of Government for such assistance as may be necessary to address problems affecting the efficient and timely implementation of the Government's job creation,

entrepreneurship support, agribusiness lands development and making food plentiful at reasonable prices;

4. Prepare and submit periodic reports to the President on the status, progress, enforcement of policies and implementation of programs related to the major final outputs mentioned herein;
5. Perform such other functions as the President may direct.

SECTION 4. Organization of the National Secretariat. – The PAJC shall establish and maintain a Secretariat which shall provide technical and administrative support. The National Agriculture and Fisheries Council (NAFC) shall be the National Secretariat of the OPAJC. The PAJC is hereby authorized to formulate and compose administrative and technical personnel to carry out his functions and duties. Subject to existing civil service laws, rules and regulations, the PAJC may request that personnel from the Department of Agriculture, the Department of Trade and Industry, their attached agencies and instrumentalities, and other concerned agencies involved in the objectives enumerated herein, be detailed by their respective heads to the OPAJC.

SECTION 5. Assistance. – The PAJC may call upon any agency or office of the Government for such assistance as may be necessary in the performance of his functions. All heads of departments, agencies, bureaus and offices, including government-owned or controlled corporations, are hereby enjoined to render full assistance and cooperation to the PAJC and to provide such information and data as may be required to carry out his function pursuant to this Order.

SECTION 6. Funding. – Subject to existing laws, and the usual government accounting and auditing rules and regulations, the funding for the administrative and operational expenses of the OPAJC and its Secretariat shall be source from the available funds and the NAFC, the Department of Agriculture, the Department of Trade and Industry and their appropriate agencies and instrumentalities.

SECTION 7. Repealing Clause. – All other executive issuances, rules and regulations or parts thereof that are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 8. Effectivity. – This Executive Order shall take effect immediately.

City of Manila, December 05, 2005

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 476
PLACING THE BATAAN TECHNOLOGY PARK, INC. BACK UNDER THE JURISDICTION
OF THE BASES CONVERSION AND DEVELOPMENT AUTHORITY

WHEREAS, the Bases Conversion and Development Authority (BCDA) was created under Republic Act (RA) No. 7227, and Section 16 thereof allows it to form, establish, organize and maintain a subsidiary corporation or corporations;

WHEREAS, Executive Order (EO) No. 62, dated February 27, 1993, prescribing policies and guidelines to implement RA 7227, in Section 3 thereof, authorizes BCDA to adopt and implement an effective oversight mechanism over subsidiaries, attached authorities and special economic zones declared under the Act;

WHEREAS, Section 3 of EO 381, dated October 26, 2004, placing the Bataan Technology Park (BTP) under the jurisdiction of the Subic Bay Metropolitan Authority (SBMA), transferred the regulatory powers, functions and authority of BCDA over BTP to SBMA;

WHEREAS, Section 20, Chapter 7, Title I, Book III of the Administrative Code of 1987 grants the President residual powers to reorganize the Executive Branch of government.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby place the Bataan Technology Park, Incorporated back under the jurisdiction of the Bases Conversion and Development Authority (BCDA).

All orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed and modified accordingly.

This Executive Order shall take effect immediately upon publication in a newspaper of general circulation.

DONE in the City of Manila, this 6th day of December, in the year of Our Lord, Two Thousand Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 477

AMENDING EXECUTIVE ORDER NO. 418 SERIES OF 2005 ENTITLED “*MODIFYING THE TARIFF NOMENCLATURE AND RATES OF IMPORT DUTY ON USED MOTOR VEHICLES UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978 (PRESIDENTIAL DECREE NO. 1464, AS AMENDED)*” AND FOR OTHER PURPOSES.”

WHEREAS, Executive Order No. 418 dated 04 April 2005 was issued to mitigate the impact of used vehicle trading on air quality and road safety through the imposition of additional specific duty of PhP 500,000.00 on the importation of used motor vehicles falling under Headings 87.02, 87.03 and 87.04;

WHEREAS, Section 1 of the Executive Order No. 418 specifically provides for the exemption of trucks, buses and special purpose vehicles which fall under Headings 87.02, 87.04 and 87.05 from the application of the additional specific duty;

WHEREAS, Article 2, Section 3.1 of Executive Order No. 156 dated December 12, 2002 prohibits the importation of all used motor vehicles into the country inclusive of the Freeport, except for certain used motor vehicles specifically listed under the same Section;

WHEREAS, the intended product coverage of Executive Order No. 418 does not include used motor vehicles specifically listed under Article 2, Section 3.1 of Executive Order No. 156 and classified as exempt from the import prohibition on used motor vehicles;

WHEREAS, it is necessary to amend Executive Order No. 418 to reflect the intended product coverage of the imposition of additional specific duty on used motor vehicle importation.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, pursuant to the powers vested in me under Section 401 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. Section 1 of Executive Order No. 418 is hereby amended to read as follows:

“SECTION 1. The articles specifically listed in Annex ‘A’ hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the rates of import duty indicated opposite each article, except for trucks, buses and special purpose vehicles, motor vehicles imported under the ‘No Dollar Importation Program’ and motor vehicles authorized for importation by the Department of Foreign Affairs intended for use by officials of the Diplomatic Corps whose rate of duty will be the ad valorem rate only.”

SECTION 2. The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “X X X” shall remain in force and effect.

SECTION 3. Upon the effectivity of this Executive Order, the articles listed in Annex “A” hereof, which are entered and withdrawn from warehouses in the Philippines for consumption, shall be levied the Most Favored Nation (MFN) rates herein prescribed.

SECTION 4. This Executive Order shall take effect thirty (30) days immediately following its publication in two (2) newspapers of general circulation.

DONE in the City of Manila, this 19th day of December, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Reference: Annex “A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 478
PLACING THE BASES CONVERSION AND DEVELOPMENT AUTHORITY,
ITS SUBSIDIARIES AND ATTACHED AGENCIES, UNDER THE POLICY SUPERVISION
OF THE DEPARTMENT OF TRADE AND INDUSTRY

WHEREAS, the Department of Trade and Industry (DTI) is the primary coordinative, promotive, facilitative, and regulatory arm of the Executive Branch of government in the area of trade, industry and investment;

WHEREAS, the Government declared as a policy, in Republic Act (RA) No. 7227, otherwise known as the Bases Conversion and Development Act of 1992, to accelerate the sound and balanced conversion into alternative productive uses of the Clark and Subic military reservations and their extension (John Hay Station, Wallace Air Station, O'Donnell Transmitter Station, San Miguel Naval Communications Station and Capas Relay Station), to raise funds by the sale of portions of Metro Manila military camps, and to apply said funds as provided herein for the development and conversion to productive civilian use of the lands covered under the 1947 Military Bases Agreement between the Philippines and the United States of America, as amended;

WHEREAS, the Bases Conversion and Development Authority (BCDA) was created under Republic Act (RA) No. 7227, and Section 17 thereof placed it under the direct control and supervision of the Office of the President (OP) for purposes of policy direction and coordination;

WHEREAS, Section 13(a) of RA 7227 created the Subic Bay Metropolitan Authority (SBMA) as an operating and implementing arm of the BCDA;

WHEREAS, in order to facilitate the coordination of policies and programs between the DTI and BCDA to effect the progress of trade, industry, and investments, it is necessary to place BCDA and all its subsidiaries and attached agencies including the SBMA under the policy supervision of the DTI;

WHEREAS, Section 20, Chapter 7, Title I, Book III of the Administrative Code of 1987 grants the President residual powers to reorganize the Executive Branch of government.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Bases Conversion and Development Authority (BCDA) and all its subsidiaries and attached agencies including Subic Bay Metropolitan Authority (SBMA) are hereby placed under the policy supervision of the Department of Trade and Industry (DTI).

SEC. 2. The Secretary of DTI shall recommend to the President nominees for the position of Chairman, President and Members of the Board of BCDA and SBMA.

SEC. 3. All orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed and modified accordingly.

SEC. 4. This Executive Order shall take effect immediately upon publication in a newspaper of general circulation.

DONE in the City of Manila, this 19th day of December, in the year of Our Lord, Two Thousand Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 479

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE PREFERENTIAL TARIFF RATES ON CERTAIN PRODUCTS UNDER THE ASEAN INDUSTRIAL COOPERATION (AICO) SCHEME, IN FAVOR OF TOYOTA MOTOR PHILIPPINES CORPORATION AND TOYOTA AUTOPARTS PHILIPPINES, INC. (TOYOTA) – COE NO. TOYOTA/2005/31

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on the ASEAN Industrial Cooperation Scheme signed in Singapore on 27 April 1996;

WHEREAS, the Philippines is a signatory to the Protocol to amend the Basic Agreement on the ASEAN Industrial Cooperation Scheme signed in Singapore on 21 April 2004;

WHEREAS, the Philippines is a participating country in the approved AICO Arrangements of Toyota Motor Philippines Corporation, and Toyota Autoparts Philippines, Inc. along with Malaysia;

WHEREAS, under the Toyota AICO Certificate of Eligibility No. Toyota/2005/31, the Philippines (Toyota Motor Philippines Corporation and Toyota Autoparts Philippines, Inc.) will import from Malaysia (Assembly Services Sdn. Bhd.) certain original equipment manufacture (OEM) automotive parts/components for Toyota Innova (AHTN 8703.90.27A/8703.90.28A), Corolla (AHTN 8703.90.26A) and Camry (AHTN 8703.90.27A/8703.90.28A). In exchange, Malaysia (Assembly Services Sdn. Bhd.) will import from the Philippines complementary component parts for the OEM of Toyota Innova, Vios, Camry and Corolla;

WHEREAS, AICO Certificate of Eligibility No. Toyota/2005/31 was issued on 20 April 2005, in favor of the participating companies in the Toyota AICO Arrangement;

WHEREAS, in consonance with Articles 5 and 7 of the Basic Agreement of the AICO Scheme, as amended, participating companies in the approved Toyota AICO Arrangement shall qualify for 0% preferential tariff rates to be extended by Malaysia and the Philippines as participating countries.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rate of 0% on parts/components as specified in Column 5 thereof.

SECTION 2. The AICO rate provided in Annex “A” shall be accorded to the AICO entity in Malaysia (Assembly Services Sdn. Bhd.) upon the effectivity of this Executive Order.

SECTION 3. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annex “A” that entered into or withdrawn from warehouses in the Philippines for consumption shall pay the applicable AICO preferential tariff rates specified under Section 1 hereof,

subject to qualification under the Rules of Origin for the CEPT, as evidenced by the Certificate of Origin – Form “D”.

SECTION 4. All presidential issuances, administrative rules and regulations or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 5. This Executive Order shall take effect fifteen (15) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

DONE in the City of Manila, this 23rd day of December, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Reference: Annex A

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 480

AMENDING SECTION 2 OF EXECUTIVE ORDER NO. 295 (S. 2000) CREATING A
PRESIDENTIAL ANTI-ORGANIZED CRIME COMMISSION AND FOR OTHER PURPOSES

WHEREAS, the Administrative Code of 1987 empowers the President with the continuing authority to reorganize the Office of the President and transfer functions from one department or agency to another;

WHEREAS, the creation of the Presidential Anti-Organized Crime Commission (PAOCC) under Executive Order 295 (s. 2000) is imperative to bring about focus and substantive results in the campaign against criminality;

WHEREAS, enhanced coordination between and among agencies engaged in the fight against criminality will lead to improved effectiveness and efficiency in the government's efforts to maintain peace and order;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Amendment of Section 2 of Executive Order No. 295 (s. 2000). The Presidential Anti-Organized Crime Commission shall now be composed of the following:

The President	Chairman
The Secretary of the Interior and Local Government	Vice-Chairman
The National Security Adviser	Member
The Secretary of Justice	Member
The Secretary of National Defense	Member
The Secretary of Transportation and Communications	Member
The Secretary of Foreign Affairs	Member
Four (4) representatives from the Private Sector to be appointed by the President	Members

SECTION 2. Repealing Clause. All executive issuances or portions thereof which are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

SECTION 3. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 27th day of December, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 481
PROMOTION AND DEVELOPMENT OF ORGANIC AGRICULTURE IN THE PHILIPPINES

WHEREAS, it is a declared policy of the State to promote agriculture development, conserve environmental resources and promote social equity and product access to foreign and domestic markets of agriculture and fishery commodities;

WHEREAS, the development of Organic Agriculture nationwide as a farming scheme enhances global competitiveness, environmental integrity, food security and safety, and increases productivity and alleviate poverty;

WHEREAS, the State recognizes the potential of Organic Agriculture in increasing value-added in agricultural export and local consumption products;

WHEREAS, the stakeholders have recognized the potential of certified organic farming as a way to lower input costs, utilization of local raw material inputs, conserve non-renewable resources, mainstream into high-value markets and improve farm income;

WHEREAS, the stakeholders of Organic Agriculture have manifested their strong interest to aggressively promote organic agriculture with support from the government on the research, development and extension activities.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

Section 1. Declaration of Objectives. – This Executive Order shall have the following objectives:

- (a) promote organic agriculture as a farming scheme especially in rural farming communities;
- (b) forge effective networking and collaboration with the stakeholders involved in the production, handling, processing and marketing of organic agriculture products;
- (c) guarantee food and environmental safety by means of an ecological approach to farming; and
- (d) ensure the integrity of organic products through the approved organic certification procedures and organic production, handling and processing standards.

Section 2. The National Organic Agriculture Program (NOAP). – The Department of Agriculture National Organic Agriculture Program shall focus on, but not limited to:

- (a) Regulations and Guidelines
- (b) Certification and Accreditation
- (c) Market Promotion and Networking
- (d) Organic Information for Producers, Handlers and Processors
- (e) Research, Development and Extension

Section 3. *The National Organic Agriculture Board (NOAB).* – There is hereby constituted the National Organic Agriculture Board, hereinafter referred to as the NOAB. The NOAB shall be composed of the following:

- (a) The Secretary of the Department of Agriculture as Chairperson;
- (b) The Secretary of the Department of Trade and Industry as Vice-Chair;
- (c) The Secretary of the Department of Health as Vice-Chair;
- (d) The Secretary of the Department of Interior and Local Government;
- (e) The Secretary of the Department of Environment and Natural Resources; and
- (f) The Secretary of the Department of Science and Technology.

There shall be appointed to the NOAB seven (7) representatives engaged in the practice of organic agriculture. Such representatives may be taken from, but not limited to the recommended sectors listed below:

- a) Three from the private sector who operate an organic farm; organic handling and processing; and establishment with significant trade in organic products;
- b) Two from the NGO/PO who represents public interest or consumer interest;
- c) One from organic certifying body as identified under Section 6 of this E.O.; and
- d) One from the academe with expertise in areas of environmental protection and resource conservation, toxicology and biochemistry.

A member of the Board shall serve for a term of 3 years. A member cannot serve consecutive terms unless such member served an original term that was less than 3 years.

A National Technical Committee (NTC) shall be created as an implementing arm of the policies, programs and projects identified and approved by the Board. It shall be drawn from the Department of Agriculture, Department of Environment and Natural Resources, Department of Land Reform, representative from the private sector and civil society.

The Bureau of Agriculture and Fisheries Product Standards (BAFPS) of the Department of Agriculture shall serve as the Technical and Administrative Secretariat of the Board and the NTC with the member agencies providing additional staff support as the need arises.

Section 4. *Functions, Duties and Responsibilities of the NOAB and the NTC.* – The NOAB shall have the following function, duties and responsibilities:

- (a) Formulate policies, plans, programs and projects to promote and develop Organic Agriculture;
 - (b) Oversee the successful implementation of the Organic Agriculture programs and projects;
 - (c) Call upon any government agency to carry out and implement programs and projects identified by the Board;
 - (d) Call upon private sectors, people's organizations (POs) and non-government organizations (NGOs), and the academe to provide advise on matters pertaining to organic agriculture;
 - (e) Identify sources of financing to expand organic agriculture; and
 - (f) Submit annual and other periodic reports to the Office of the President.
-

The National Technical Committee shall:

- (a) Implement Organic Agriculture programs and projects approved by the Board;
- (b) Update the Board on the status of the programs, projects and activities undertaken for the promotion and development of organic agriculture;
- (c) Forge effective networking with the various stakeholders involved in organic production; and
- (d) Perform such other functions, duties and responsibilities as may be necessary to implement this Executive Order.

Section 5. *Compliance Requirements for Organic Standards.* – Adoption of the Philippine National Standard for Organic Agriculture (PNS/BAFPS 07:2003 ICS.65.020) specifically listed in ANNEX “A” shall be mandatory throughout the country for the sectors involved in the production and marketing organic agriculture products.

Section 6. *Organic Accreditation.* – The Department of Agriculture through Administrative Order 13 Series of 2003 listed in ANNEX “B”, otherwise known as the “Guidelines in the Accreditation of Certifying Bodies for Standards on Organic Agriculture” shall accredit certifying bodies as prescribed in the guidelines.

Section 7. *Labeling of Organically Produced Products.* – In addition to the requirements for labeling of organic products, commodities, goods and merchandise pursuant to PNS/BAFPS 07:2003 ICS.65.020 listed in ANNEX “A”, the products, commodities, goods or merchandise must contain contents prescribed in this Executive Order.

Section 8. *Research, Development and Extension.* – The DA, DOST, SCUs and other appropriate agencies such as but not limited to scientific/professional organizations and research institutions shall develop, enhance, support and consolidate activities and related technologies to protect the environment and improve organic matter depleted agricultural soils, reduce cost of production, improve product quality and increase value-added for global competitiveness of Organic Produce.

Section 9. *Appropriations.* – The Department of Agriculture shall allocate from its present budget such amount not less than Five Million Pesos (P5,000,000.00) for the initial operation of the NOAB and its Secretariat. A portion of the amount thereof may be taken from the Presidential Social Fund for the initial year of implementation of the program. Thereafter, the Department of Agriculture shall include an appropriate amount in the General Appropriations Act following its enactment and every year thereafter.

Section 10. *Implementing Guidelines.* – The Board, within ninety (90) working days in consultation with other agencies and stakeholders concerned shall formulate the implementing rules and regulations to carry out the provisions of this Executive Order.

Section 11. *Separability Clause.* – If any of the provisions of the Executive Order is declared invalid, the remainder shall remain operative.

Section 12. *Effectivity.* – This Executive Order shall take effect immediately after publication in a newspaper of general circulation.

DONE, in the City of Manila, on this 27th day of December, in the year of our Lord, twenty hundred and five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Reference: Definition of Terms

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 482
CREATING THE NATIONAL SINGLE WINDOW TASK FORCE FOR CARGO CLEARANCE

WHEREAS, the Association of South East Asian Nations (ASEAN) adopted as customs facilitation core component the ASEAN Single Window (ASW) on the 11th Annual Meeting of ASEAN Director-Generals of Customs held in Bangkok, Thailand on July 2003, resulting to the establishment of the initiatives by the ASEAN Customs senior officers;

WHEREAS, the ASEAN leaders, in their 9th Summit held at Bali, Indonesia on September 2003, gave the highest level of endorsement to the ASW, and supported the recommendations of the High-Level Task Force of the ASEAN Director Generals of Customs on issues directly relevant to Customs cooperation, contained in the Bali Concord II stating that the ASW should include the electronic processing of trade documents at regional and national levels;

WHEREAS, the electronic processing of trade documents through a single window will bring about a more efficient and effective service to the public;

WHEREAS, the creation of the Inter-Agency Task Force Officials on ASW comprising of ASEAN will facilitate the development of electronic transactions of all trade matters in the national and regional level;

WHEREAS, the 1st Inter-Agency Task Force Meeting on ASW held at Manila, Philippines on August 04 – 06, 2004 adopted the view that “*the single decision making would be uniformly interpreted as a single point of decision for the release of cargoes on the basis of decisions taken by line ministries and communicated timely to the Customs*” as the uniform interpretation of the definition of the ASW;

WHEREAS, in analyzing the roles played by related government agencies in the international supply chain, the 1st Inter-Agency Task Force Meeting on ASW reaffirmed that Customs Authorities would be the final and single decision-maker on cargo clearance and release;

WHEREAS, in the 3rd Inter-Agency Task Force Meeting on ASW held at Manila, Philippines in April 2005, the Philippines volunteered to be the pilot country for the implementation of the National Single Window (NSW) for Cargo Clearance;

WHEREAS, the NSW is a system that enables a single submission of data and information that is synchronously processed, resulting in a single point of decision for the release of cargoes by Customs, based on decisions made by other Departments and Agencies of government and communicated in a timely manner to Customs;

WHEREAS, the NSW will, among others, increase transparency in cargo processing, provide a more accurate, timely and cost efficient exchange of information, reduce customs operational costs and improve revenue collection;

WHEREAS, the Implementation of NSW will minimize the risk associated in ASW implementation and provide a mitigation and transition plan for the full ASW implementation;

WHEREAS, the 4th Inter-Agency Task Force Meeting of the ASW adopted a Model for NSW for cargo clearance, with the following components, namely: Customs, Other Government

Agencies, Banking and Insurance Agency, Transport Community, Trading Community, ASEAN / International Link;

WHEREAS, for purposes of implementing the decisions of the 3rd Inter-Agency Task Force for the ASW, all ASEAN Member-States agreed to establish National Working Groups or similar entities with the following responsibilities:

- Monitor, supervise and coordinate the overall progress and implementation of the ASW Project;
- Provide inputs and technical documents for the design and establishment of the ASW Project; and
- To conduct regular views of the project and monitor its implementation at national level;

WHEREAS, government departments and agencies involved in cargo clearance and release must cooperate with each other in order to provide the Bureau of Customs with an automated electronic system required for the establishment, implementation, and operation of NSW, and eventually the ASW;

WHEREAS, the creation of the NSW Task Force for Cargo Clearance is necessary for a more coherent and effective formulation, coordination, implementation, and monitoring of the NSW;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creation of Task Force. The National Single Window Task Force for Cargo Clearance (NSW Task Force) is hereby created to bring about a more efficient and effective service to the public.

SEC. 2. Composition. The NSW Task Force shall be composed of a Steering Committee and a Technical Working Group.

SEC. 3. The Steering Committee. The Steering Committee is a high level committee chaired by the Secretary of Finance, with the following as members:

- a. Secretary, Department of Trade and Industry (DTI);
- b. Secretary, Department of Agriculture (DA);
- c. Secretary Department of Transportation and Communication (DOTC);
- d. Secretary, Department of Interior and Local Government (DILG);
- e. Secretary, Department of Health (DOH);
- f. Governor, Bangko Sentral ng Pilipinas (BSP); and
- g. Director-General, National Economic and Development Authority (NEDA).

SEC. 4. Functions of the Steering Committee. The Steering Committee shall be responsible for the following:

- a. Setting of policy guidelines for the creation and operation of the NSW and the ASEAN Single Window (ASW) thereafter;
- b. Crafting of financial schemes and strategies to finance the activities and projects under the NSW from its inception up to its operations to ensure sustainability; and
- c. Ensuring the effective and efficient implementation of the NSW and ASW thereafter.

SEC. 5. The Technical Working Group. The Technical Working Group shall be presided by the Commissioner of Customs and designated representatives from the following agencies as members:

- a. Commission of Information and Communications Technology (CICT);
- b. Bureau of Internal Revenue (BIR);
- c. Tariff Commission (TC);
- d. Philippine Ports Authority (PPA);
- e. Bureau of Plant & Industry (BPI);
- f. Bureau of Quarantine (BQ);
- g. Bureau of Food and Drug (BFAD);
- h. Bureau of Animal Industry (BAI);
- i. Bureau of Import Services (BIS);
- j. Land Transportation Office (LTO);
- k. Insurance Commission (IC);
- l. Philippine Economic Zone Authority (PEZA); and
- m. Mabuhay and Non-Mabuhay Lane, Department of Finance (DOF).

SEC. 6. Functions of the Technical Working Group. The Technical Working Group, reporting directly to the Steering Committee, shall be responsible for the following:

- a) Implementation of policies and directives of the Steering Committee by coordinating the activities incumbent for the establishment, implementation, operation and monitoring of the NSW and ASW;
- b) Identification of common definition/set of data to be able to standardize data, information and processes intended for integration;
- c) Delineation of definitive roles and responsibilities of each participating agency;
- d) Creation of a general conceptual framework, mechanisms and other information technology (IT) instruments necessary in the integration process ensuring data integrity and security; and
- e) Conformity with all other instructions from the Steering Committee related to the effective and efficient implementation of NSW and ASW.

SEC. 7. Assistance from the ASEAN Secretariat. The Steering Committee and the Technical Working Group may seek the assistance of the ASEAN Secretariat in the establishment and implementation of the NSW to ensure a coordinated approach in the implementation of the ASW in all ASEAN member-states.

SEC. 8. Authority to Promulgate Rules and Regulations. The Steering Committee shall promulgate and issue rules, regulations and orders necessary to implement the purpose and provisions of this Executive Order.

SEC. 9. Repealing Clause. All other executive orders, issuances, rules and regulations or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 10. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 27th day of December, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 483
ESTABLISHING THE UNESCO LIFELONG LEARNING CENTER FOR SUSTAINABLE
DEVELOPMENT OF THE PHILIPPINES, DESIGNATING THE OPERATION
BROTHERHOOD MONTESSORI CENTER, INC. THEREFORE

WHEREAS, the Universal Declaration of Human Rights, in Article 26, states the right of everyone to education; that education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms;

WHEREAS, the 1987 Constitution of the Republic of the Philippines mandates, in Article XIV, Section VIII, the protection and promotion of the right of all citizens to quality education at all levels, and the implementation of appropriate measures to make such education accessible to all;

WHEREAS, the United Nations Educational, Scientific and Cultural Organization (UNESCO) National Commission is mandated to protect and popularize the mission of Education For All (EFA) by serving as a resource and training base for inter-country programs towards the education for all goals;

WHEREAS, the United Nations Millennium Development Goals aim at eliminating gender disparity in education not later than 2015;

WHEREAS, the Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA) and the Department of Education (DepEd) are mandated to provide relevant, accessible, quality and efficient education and training in support of the development of Filipino manpower responsive to and in accordance with Philippine development goals and priorities;

WHEREAS, the UNESCO National Commission recognizes the importance of creating strategic mechanisms that respond to the need to sustain quality education for all;

WHEREAS, the UNESCO National Commission shall lead promotional strategies for UNESCO member states to create greater awareness on the role of lifelong learning for the Asia Pacific workforce;

WHEREAS, the Operation Brotherhood Montessori Center, Inc. has a “Pagsasarili Literacy Manual” that provides the most practical guide for economic self-sufficiency of families and promotes the Lifelong Learning Program from early childhood education to adult learning and beyond, spurring self-sufficiency and community development.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby establish the United Nations Educational, Scientific and Cultural Organization (UNESCO) Lifelong Learning Center for Sustainable Development in the Philippines, and designate the Operation Brotherhood Montessori Center, Inc. to serve as the national laboratory of the Department of Education (DepEd), Technical Education and Skills Development Authority (TESDA) and Commission on Higher Education (CHED) in addressing the life skills educational requirements toward building a knowledge society. In addition, the Center shall open its doors to the Asia Pacific Region for sharing of facilities, experiences and technical assistance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 27th day December, in the year of Our Lord, Two Thousand Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 484

MODIFYING THE RATES OF DUTY ON SUGAR AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT PREFERENTIAL RATES THEREON UNDER THE COMMON EFFECTIVE PREFERENTIAL TARIFF (CEPT) SCHEME FOR THE ASEAN FREE TRADE AREA (AFTA)

WHEREAS, the transfer of raw and refined sugar from the Philippines' CEPT Temporary Exclusion List to its Sensitive List was approved by the ASEAN Ministers during the 33rd ASEAN Economic Ministers (AEM) Meeting held in Vietnam in September 2001 and subsequently reflected in the First Protocol to Amend the Protocol on Special Arrangements on Sensitive and Highly Sensitive Products signed on 3 September 2004;

WHEREAS, Executive Order 230 signed on 26 July 2003 provided tariff concessions on imports of raw and refined sugar in consideration of the AEM approval of the Philippine request to transfer subject articles to its Sensitive List;

WHEREAS, Article III of the Protocol on the Special Arrangement for Sensitive and Highly Sensitive Products signed on 30 September 1999 prescribes the tariff reduction of sensitive products;

WHEREAS, on 20 December 2005, the NEDA Board approved the 2006 - 2008 CEPT rate schedule for raw and refined sugar;

WHEREAS, Sections 104 and 402 of the Tariff and Customs Code of 1978 (PD 1464), as amended, empower the President of the Republic of the Philippines, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in *Annex "A"* hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the ASEAN CEPT rate in accordance with the schedule indicated opposite each article. The ASEAN CEPT rates so indicated shall be accorded to imports coming from ASEAN Member States applying CEPT concession to the same product pursuant to Article 4 of the Agreement on the CEPT Scheme for the AFTA (CEPT Agreement) signed on 28 January 1992 and its Interpretative Notes.

SECTION 2. In the event that any subsequent change is made in the basic (Most Favored Nation) Philippine rate of duty on any of the articles listed in *Annex "A"* to a rate lower than the rate prescribed in *Annex "A"*, such article shall automatically be accorded the corresponding reduced rate of duty.

SECTION 3. From the date of effectivity of this Order, all articles listed in *Annex "A"* entered or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed subject to qualification under the Rules of Origin as provided for in the CEPT Agreement.

SECTION 4. All presidential issuances, administrative rules and regulations, or parts thereof, which are contrary or inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 5. This Executive Order shall take effect immediately following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 29th day of December, in the year of Our Lord, Two Thousand and Five.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Reference: Annex “A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 485

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE COMMITMENT TO REDUCE THE TARIFF RATES ON CERTAIN PRODUCTS TO ZERO PERCENT UNDER THE EARLY HARVEST PROGRAMME OF THE ASEAN - CHINA FREE TRADE AREA

WHEREAS, the Framework Agreement on Comprehensive Economic Cooperation (Framework Agreement) Between the Association of South East Asian Nations (ASEAN) and the People's Republic of China (China) was signed by the Heads of Government/State of the ASEAN Member States and China on 4 November 2002 in Cambodia;

WHEREAS, under Article 6 of the Framework Agreement, the Parties agreed to implement an Early Harvest Programme (which is an integral part of the ASEAN - China FTA) for certain products which will commence and end in accordance with set timeframes;

WHEREAS, a Memorandum of Understanding (MOU) Between the Governments of the Philippines and China on the Early Harvest Programme under the Framework Agreement was signed on 27 April 2005;

WHEREAS, under the MOU, the Philippines and China agreed to eliminate the tariffs of certain products by 1 January 2006;

WHEREAS, the NEDA Board approved, during its meeting on 20 December 2005, the grant of zero tariffs on 214 tariff lines in compliance with the MOU;

WHEREAS, Section 402 of the Tariff and Customs Code of 1978 (PD 1464), as amended, empowers the President of the Republic of the Philippines, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in *Annex "A"* [Articles Granted Concessions Under the Early Harvest Programme of the ASEAN - China Free Trade Area] and *Annex "B"* [Specific Products Granted Concessions Under the Early Harvest Programme of the ASEAN - China Free Trade Area Pursuant to Article 6(3)(a)(iii)] hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the ACFTA rates in accordance with the schedule indicated in Column 4 of *Annexes "A" and "B"*. The ACFTA rates so indicated shall be accorded to imports coming from the parties of the Framework Agreement applying tariff concession to the same product pursuant to Article 6 of said Framework Agreement.

SECTION 2. From the date of effectivity of this Order, all articles listed in *Annexes "A" and "B"* entered into or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed subject to compliance with the Rules of Origin as

provided for in Article 5 of the Agreement on Trade in Goods of the Framework Agreement signed on 29 November 2004.

SECTION 3. All presidential issuances, administrative rules and regulations, or parts thereof, which are contrary or inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 29th day of December, in the year of Our Lord, Two Thousand and Five.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

References: Annexes “A” and “B”

Source: Malacañang Records Office

Office of the President of the Philippines. (2005). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 486

**LIFTING THE SUSPENSION OF THE APPLICATION OF THE TARIFF REDUCTION
SCHEDULE ON PETROCHEMICALS AND CERTAIN PLASTIC PRODUCTS UNDER
THE COMMON EFFECTIVE PREFERENTIAL TARIFF (CEPT) SCHEME FOR THE
ASEAN FREE TRADE AREA (AFTA)**

WHEREAS, Executive Order 234 dated 27 April 2000, which implemented the 2000-2003 Philippine schedule of tariff reduction of products transferred from the Temporary Exclusion List and the Sensitive List to the Inclusion List of the accelerated CEPT Scheme for the AFTA, provided that the CEPT rates on petrochemicals and certain plastic products will be reduced to 5% on 01 January 2003;

WHEREAS, Executive Order 161 issued on 9 January 2003 provides for the suspension of the application of the tariff reduction schedule on petrochemicals and certain plastic products in 2003 and 2004 only;

WHEREAS, the government recognizes the need to provide an enabling environment for the naphtha cracker plant to attain international competitiveness;

WHEREAS, the NEDA Board approved the lifting of the suspension of the aforesaid tariff reduction schedule on petrochemicals and certain plastic products and the reversion of the CEPT rates on these products to EO 161 (s. 2003) levels once the naphtha cracker plant is in commercial operation;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, do hereby order:

SECTION 1. The articles specifically listed in *Annex "A"* (Articles Granted Concession under the CEPT Scheme for the AFTA) hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the ASEAN CEPT rates in accordance with the schedule indicated in Column 4 of *Annex "A"*. The ASEAN CEPT rates so indicated shall be accorded to imports coming from ASEAN Member States applying CEPT concession to the same product pursuant to Article 4 of the CEPT Agreement and its Interpretative Notes.

SECTION 2. In the event that any subsequent change is made in the basic (MFN) Philippine rate of duty on any of the article listed in *Annex "A"* to a rate lower than the rate prescribed in Column 4 of *Annex "A"*, such article shall automatically be accorded the corresponding reduced duty.

SECTION 3. From the date of effectivity of this Executive Order, all articles listed in *Annex "A"* entered into or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed subject to qualification under the Rules of Origin as provided for in the Agreement on the CEPT Scheme for the AFTA signed on 28 January 1992.

SECTION 4. The Department of Trade and Industry, in coordination with National Economic and Development Authority, the Department of Finance, the Tariff Commission and the Bureau of Customs, shall promulgate the implementing rules and regulations that will govern the reversion of

the CEPT rates on petrochemicals and plastic products to EO 161 (s. 2003) levels once the naphtha cracker plant is in commercial operation.

SECTION 5. All presidential issuances, administrative rules and regulations, or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 6. This Executive Order shall take effect immediately following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 12th day of January, in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Reference: Annex “A”

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 487

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE COMMITMENT TO REDUCE TARIFF RATES ON CERTAIN PRODUCTS INCLUDED IN THE NORMAL TRACK OF THE ASEAN – CHINA FREE TRADE AREA

WHEREAS, the Framework Agreement on Comprehensive Economic Cooperation (Framework Agreement) Between the Association of South East Asian Nations (ASEAN) and the People's Republic of China (China) was signed by the Heads of Government/State of the ASEAN Member States and China on 4 November 2002 in Cambodia;

WHEREAS, Articles 2(a), 3(1), and 8(1) of the Framework Agreement reflect the Parties' commitment to establish the ASEAN – China Free Trade Area (ACFTA) covering trade in goods by 2010 for ASEAN 6 and China, and by 2015 for the newer ASEAN Member States;

WHEREAS, the Agreement on Trade in Goods of the Framework Agreement was signed by the Economic Ministers of the Parties on 29 November 2004 in Laos;

WHEREAS, Article 3(2)(a) of the Agreement on Trade in Goods of the Framework Agreement provides that tariff lines placed in the Normal Track by each Party shall have their respective applied MFN tariff rates gradually reduced and eliminated in accordance with the modalities set out in Annex 1 of the Agreement with the objective of achieving the targets prescribed in the threshold therein;

WHEREAS, the aforesaid Annex 1 of the Agreement on Trade in Goods of the Framework Agreement provides that ASEAN 6 and China shall implement the following tariff reduction schedule for products in the Normal Track by 1 July 2005: (a) applied MFN tariff rates above 20% shall be reduced to 20%; (b) applied MFN tariff rates from 15% to 19% shall be at 15%; (c) applied MFN tariff rates from 10% to 14% shall be at 10%; (d) applied MFN tariff rates from 6% to 9% shall be reduced to 5%; and (e) applied MFN tariff rates from 0% to 5% shall be maintained;

WHEREAS, the NEDA Board approved during its meeting on 20 December 2005 the reduction in tariff rates on 1,124 tariff lines in compliance with the modalities set out in the Agreement on Trade in Goods of the Framework Agreement;

WHEREAS, Section 402 of the Tariff and Customs Code of 1978 (PD 1464), as amended, empowers the President of the Republic of the Philippines, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in *Annex "A"* (Articles Granted Tariff Concession Under the Normal Track of the ASEAN – China Free Trade Area) hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the ACFTA rates in accordance with the schedule indicated in Columns 4-7 of *Annex "A"*. The ACFTA rates so

indicated shall be accorded to imports coming from the parties of the Agreement on Trade in Goods of the Framework Agreement applying tariff concession to the same product pursuant to Article 3 of the Agreement on Trade in Goods of the Framework Agreement.

SECTION 2. In the event that any subsequent change is made in the basic (MFN) Philippine rate of duty on any of the articles listed in *Annex "A"* to a rate of duty lower than the rate prescribed in Columns 4-7 of *Annex "A"* such article shall automatically be accorded the corresponding reduced duty.

SECTION 3. From the date of effectivity of this Order, all articles listed in *Annex "A"* entered into or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed subject to compliance with the Rules of Origin as provided for in Article 5 of the Agreement on Trade in Goods of the Framework Agreement.

SECTION 4. All presidential issuances, administrative rules and regulations, or parts thereof, which are contrary or inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 5. This Executive Order shall take effect immediately following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 12th day of January, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). [*Executive Order Nos.: 401 - 500*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 488

MODIFYING THE RATES OF IMPORT DUTY ON COMPONENTS, PARTS AND ACCESSORIES FOR THE ASSEMBLY OF HYBRID, ELECTRIC, FLEXIBLE FUEL AND COMPRESSED NATURAL GAS MOTOR VEHICLES UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED

WHEREAS, it is the declared policy of the government to promote the judicious conservation and efficient utilization of energy resources in light of the continuing increase in world prices of imported fuel oil;

WHEREAS, Executive Order 472 (s. 1998) targets a 5% reduction in fuel consumption by road transport users;

WHEREAS, there is a need to promote the efficient use of fuel in the transport sector, being one of the highest fuel-consuming sectors;

WHEREAS, the emerging alternative fuel vehicle technology present opportunities for improving energy efficiency of transportation in support of the government's energy independence agenda;

WHEREAS, Executive Order 156 (s. 2002) establishing a "*Comprehensive Industrial Policy and Directions for the Motor Vehicle Development Program*" provides for the development of the Philippines as the manufacturing hub for certain motor vehicles, parts and components;

WHEREAS, Sections 401 and 402 of the Tariff and Customs Code of 1978 (PD 1464), as amended, empower the President of the Republic of the Philippines to increase, reduce, or remove existing rates of import duty, as well as to modify the form of duty and the tariff nomenclature, under Section 104 of said Code;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in *Annex "A"* hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the rates of import duty [Most-Favoured-Nation (MFN) and Association of Southeast Asian Nations (ASEAN) - Common Effective Preferential Tariff (CEPT)] indicated in Columns 4 and 5 opposite each article, respectively.

SECTION 2. The ASEAN - CEPT rates so indicated in *Annex "A"* shall be accorded to imports coming from ASEAN Member States applying CEPT concession to the same product pursuant to Article 4 of the Agreement on the CEPT Scheme for the ASEAN Free Trade Area (CEPT Agreement) signed on 28 January 1992 and its Interpretative Notes.

SECTION 3. The rates of import duty in tariff headings not enumerated and those listed but represented by the symbol "x x x" shall remain in force and in effect.

SECTION 4. Upon the effectivity of this Executive Order, all articles listed in *Annex "A"* entered into or withdrawn from warehouses in the Philippines for consumption shall be levied the MFN rates of duty therein prescribed.

SECTION 5. Upon the effectivity of this Executive Order, all articles listed in *Annex "A"* entered into or withdrawn from warehouses in the Philippines for consumption shall be levied the ASEAN - CEPT rates of duty therein prescribed subject to qualification under the Rules of Origin as provided for in the CEPT Agreement.

SECTION 6. The Board of Investments, pursuant to the Motor Vehicle Development Program and in consultation with concerned government agencies, shall issue appropriate guidelines to implement the preferential tariff privilege.

SECTION 7. All presidential issuances, administrative rules and regulations, or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 8. This Executive Order shall take effect thirty (30) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 12th day of January, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Reference: "Annex A"

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 489

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE TARIFF REDUCTION SCHEDULE FOR 2006 - 2010 OF SENSITIVE AGRICULTURAL PRODUCTS TRANSFERRED FROM THE AGRICULTURAL PRODUCT SENSITIVE LIST (SL) TO THE COMMON EFFECTIVE PREFERENTIAL TARIFF INCLUSION LIST (CEPT-IL)

WHEREAS, the Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, Lao People's Democratic Republic, Malaysia, Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, and the Socialist Republic of Viet Nam signed the Protocol on the Special Arrangement for Sensitive and Highly Sensitive Products on 30 September 1999;

WHEREAS, Member States (i.e. Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore and Thailand) phased-in sensitive products to the CEPT Scheme beginning on 01 January 2001 with flexibility but no later than 01 January 2003 and shall complete the phasing-in by 01 January 2010;

WHEREAS, Article III of the Protocol provides that the beginning rate shall be the applied rate and the ending tariff rates shall be 0% - 5%;

WHEREAS, on 5 November 2001, the NEDA Board approved the 2001 - 2010 Philippine CEPT Schedule for sensitive agricultural products;

WHEREAS, on 9 December 2003, the NEDA Board confirmed the phasing-in of 44 sensitive agricultural products to the CEPT-IL in 2003;

WHEREAS, Executive Order 263 issued on 30 December 2003 prescribed the 2003 - 2005 CEPT rate schedule for subject articles;

WHEREAS, Section 402 of the Tariff and Customs Code of 1978 (PD 1464), as amended, empowers the President, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Articles specifically listed in *Annex "A"* hereof (Sensitive Agricultural Products Granted Concession Under the CEPT for the AFTA), as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the ASEAN CEPT rate in accordance with the year 2006-2010 schedule indicated in Columns 4-8 of *Annex "A"*. The ASEAN CEPT rates so indicated shall be accorded to imports coming from ASEAN Member States applying CEPT concession to the same product pursuant to Article 4 of the CEPT Agreement and its Interpretative Notes.

SECTION 2. In the event that any subsequent change is made in the basic (Most Favored Nation) Philippine rate of duty on any of the article listed in *Annex "A"* to a rate lower than the rate prescribed in Columns 4-8 of *Annex "A"*, such article shall automatically be accorded the corresponding reduced duty.

SECTION 3. From the date of effectivity of this Order, all articles listed in *Annex "A"* entered or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed subject to qualification under the Rules of Origin as provided for in the Agreement on the CEPT Scheme for the AFTA signed on 28 January 1992.

SECTION 4. All presidential issuances, administrative rules and regulations, or parts thereof, which are contrary or inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 5. This Executive Order shall take effect immediately following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 12th day of January, in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Reference: Annex "A"

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 490

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE COMMITMENT TO REDUCE THE TARIFF RATES ON SIXTY PERCENT OF THE PRODUCTS IN THE INCLUSION LIST TO ZERO PERCENT UNDER THE COMMON EFFECTIVE PREFERENTIAL TARIFF (CEPT) SCHEME FOR THE ASEAN FREE TRADE AREA (AFTA)

WHEREAS, the ASEAN Economic Ministers agreed during their meeting in March 1999 that the CEPT rates on at least 60% of the products in the individual Inclusion Lists of the six (6) original ASEAN Member States would be reduced to 0% by 2003;

WHEREAS, Executive Order 268 (s. 2004) granted CEPT rates of 0% on various products in the Philippine Inclusion List;

WHEREAS, in compliance with the 60% target, the NEDA Board, during its meeting on 20 December 2005, approved the grant of CEPT rates of 0% on several more products in the Philippine Inclusion List;

WHEREAS, Section 402 of the Tariff and Customs Code of 1978 (PD 1464), as amended, empowers the President of the Republic of the Philippines, upon the recommendation of the National Economic and Development Authority, to increase, reduce or remove existing protective rates of import duty, as well as to modify the form of duty;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in *Annex "A"* (Articles Granted Zero Duty Under the CEPT Scheme for the ASEAN Free Trade Area) hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the ASEAN CEPT rate in accordance with the schedule indicated in Column 4 of *Annex "A"*. The ASEAN CEPT rates so indicated shall be accorded to imports coming from ASEAN Member States applying CEPT concession to the same product pursuant to Article 4 of the CEPT Agreement and its Interpretative Notes.

SECTION 2. From the date of effectivity of this Order, all articles listed in *Annex "A"* entered or withdrawn from warehouses in the Philippines for consumption shall be imposed the rates of duty therein prescribed subject to qualification under the Rules of Origin as provided for in the Agreement on the CEPT Scheme for the AFTA signed on 28 January 1992.

SECTION 3. All presidential issuances, administrative rules and regulations, or parts thereof, which are contrary or inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 12th day of January, in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Reference: “Annex A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 491

EXEMPTING MOTOR VEHICLES OF EMBASSY OFFICIALS AND MEMBERS OF THE DIPLOMATIC CORPS AND INTERNATIONAL ORGANIZATIONS, FILIPINO DIPLOMATS, RECALLED PERSONNEL OF THE DEPARTMENT OF FOREIGN AFFAIRS (DFA) OR ANY OFFICER OR EMPLOYEE RETURNING FROM A REGULAR ASSIGNMENT FOR RE-ASSIGNMENT TO THE DFA HOME OFFICE, GOVERNMENT OFFICES WHO WERE GIVEN THE PRIVILEGE TO IMPORT MOTOR VEHICLES TAX AND DUTY FREE UNDER RELEVANT LAWS AND INTERNATIONAL AGREEMENTS, INCLUDING FOREIGN LOANS AND DONATIONS, AND OTHER SIMILARLY SITUATED INDIVIDUALS, FROM THE IMPOSITION OF ADDITIONAL SPECIFIC DUTY OF P500,000.00 UNDER EXECUTIVE ORDER NO. 418, S. 2005, UPON THE SALE OR TRANSFER OF SAID VEHICLES TO NON-TAX EXEMPT INDIVIDUALS IN THE LOCAL MARKET

WHEREAS, it is the policy of the State to maintain a balance between development and environment protection;

WHEREAS, there is a need to mitigate the impact of used motor vehicle trading on air quality and road safety;

WHEREAS, to carry out this purpose, EO 418, dated April 4, 2005, ordered the imposition of an additional specific duty of Php 500,000.00 in addition to the regular rates of import duty, on the articles specifically listed in Annex "A" thereof, as classified under Section 104 of the Tariff and Customs Code of 1978;

WHEREAS, embassy officials, members of the diplomatic corps and international organizations, and similarly situated individuals, are allowed to bring motor vehicles into the Philippines tax and duty free under the Vienna Convention, the Asian Development Bank (ADB) Headquarters Agreement, and other relevant international agreements;

WHEREAS, Filipino diplomats, recalled personnel of the Department of Foreign Affairs (DFA) or any officer or employee returning from a regular assignment for reassignment to the DFA home office are allowed to bring motor vehicles into the Philippines tax and duty free under Republic Act No. 7157;

WHEREAS, the Government of the Republic of the Philippines has acquired motor vehicles brought into the country tax and duty free under relevant international agreements including foreign loans and donations;

WHEREAS, some of these vehicles were brand new when withdrawn from customs warehouses and first operated on Philippine roads, therefore, subsequent transfer thereof would not increase the environmental risk that EO 418 aims to curb;

WHEREAS, the imposition of additional duties of P500,000.00 on said motor vehicles shall effectively prevent the disposition of the same, whether by sale or by donation; thereby rendering their exemption meaningless by placing them in a more disadvantageous position;

WHEREAS, Section 401 of the Tariff and Customs Code of 1978, as amended, empowers the President of the Republic of the Philippines to increase, reduce, or remove existing rates of import duty, as well as to modify the form of duty and the tariff nomenclature under Section 104 of the Code;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the exemption of motor vehicles of embassy officials, members of the diplomatic corps and international organizations, Filipino diplomats, recalled personnel of the Department of Foreign Affairs (DFA), or any officer or employee returning from a regular assignment for reassignment to the DFA home office, motor vehicles of government offices, acquired duty free under international agreements including loans and donations, and similarly situated individuals, from the imposition of additional specific duty of P500,000.00 under E.O. No. 418, s. 2005, upon the subsequent sale or transfer of said vehicles to non-tax exempt individuals in the local market.

All other Presidential issuances, administrative rules and regulations or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

This Executive Order shall take effect thirty (30) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 12th day of January, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 492

DIRECTING THE OFFICE OF THE NATIONAL SECURITY ADVISER (ONSA) TO OVERSEE AND SUPERVISE THE IMPLEMENTATION OF A MARITIME AERIAL RECONNAISSANCE AND SURVEILLANCE (MARS) PROGRAM WITH THE NATIONAL INTELLIGENCE COORDINATING AGENCY (NICA) SERVING AS TECHNICAL OPERATOR OF THE MARS SYSTEM; AUTHORIZING THE PROCUREMENT OR LEASE OF UNMANNED AERIAL VEHICLES; MANDATING THE PARTICIPATION AND CONTRIBUTION OF RELEVANT DEPARTMENTS, BUREAUS AND AGENCIES OF THE GOVERNMENT; AND FOR OTHER PURPOSES.

WHEREAS, today's evolving national security situation requires a collaborative planning environment as a means to enhance security cooperation between the military and civilian agencies in areas such as protection of our Exclusive Economic Zone, counter terrorism, internal security, developmental support and disaster assistance;

WHEREAS, the challenges posed by the evolving security environment compel government to increase the technological capabilities of the national security establishment and to enhance the country's ability to protect its territories, critical infrastructure and natural resources;

WHEREAS, there is a need to effectively address the lack of reconnaissance and surveillance systems that has hampered the successful interaction and cooperation between military and civilian resources in various operational areas;

WHEREAS, our neighboring countries now pursue a program utilizing aerial surveillance and reconnaissance technologies such as cost-effective unmanned aerial vehicle systems to provide a fast alternative means to secure near real-time information for national security decision-making.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. ONSA's Role and Authority. – The ONSA shall have principal authority to oversee and supervise the implementation of a program to build up, integrate and employ reconnaissance and surveillance capabilities of civilian agencies and armed services. The National Security Adviser (NSA), in addition to his role as principal adviser on national security matters, shall also serve as the principal adviser on national reconnaissance and surveillance activities.

The NSA shall undertake measures to coordinate inter-agency requirements and supervise the acquisition of reconnaissance and surveillance equipment, including but not limited to unmanned aerial vehicles (UAVs). He shall also have authority to coordinate the securing of necessary funds to acquire required facilities and equipment.

SECTION 2. The Program. – There shall be established a Maritime Aerial Reconnaissance and Surveillance (MARS) Program, capable of reconnaissance and surveillance over our maritime zone and terrestrial/land area, to enhance the national capability to gather near real-time video recording and information for decision-making needs.

The Program shall utilize modern reconnaissance and surveillance systems in order to provide law enforcement personnel and ground operators near real-time high accuracy, sustainable capability for

reconnaissance and surveillance and dominant situational awareness to swiftly and effectively interdict when an illegal activity occurs.

SECTION 3. NICA's Role. – The NICA shall serve as the technical operator of the MARS system. As such, it is authorized to procure UAVs or enter into lease agreements governing the same. The Agency shall also establish the National Maritime Aerial Reconnaissance and Surveillance Center (NMARSC) to serve as the focal point for national reconnaissance and surveillance activities and operations.

The NMARSC, to be headed by an Executive Director, shall be institutionalized as a multi-agency body tasked with the mission of providing overall coordination in the conduct of national reconnaissance and surveillance operations and utilization of required facilities. For this purpose, the NICA is further authorized to request secondment to the NMARSC of personnel from other government agencies. The NMARSC, however, shall remain under the supervision and control of the ONSA.

SECTION 4. Joint Use. - The MARS Program shall be implemented and sustained through joint use to enable the government to acquire and pay for the cost of aerial reconnaissance and surveillance facilities and equipment and to allocate the cost among the beneficiary agencies that will have actual use of the equipment in its operation.

The ONSA shall oversee the formulation of the terms of reference for the joint use of UAV systems and other aerial surveillance equipment. In this regard, he shall be authorized to pursue a memorandum of understanding among beneficiary agencies involved in the joint use program.

As principal overseer of the MARS Program, the NSA shall ensure the efficient utilization of the UAV system based on a Utilization Plan to be prepared in coordination with the beneficiary-agencies.

SECTION 5. Beneficiary-Agencies. - The following agencies are initially identified as having a need and shall receive direct benefits from the utilization of aerial reconnaissance and surveillance systems and are therefore directed to participate in, pay for actual use and include in their annual budget programming the planning, operationalization and maintenance of said facilities under the MARS Program:

- a. Department of Transportation and Communication (DOTC)
 - Philippine Coast Guard (PCG)
- b. Department of Finance (DOF)
 - Bureau of Customs (BOC)
- c. Department of Interior and Local Government (DILG)
 - Philippine National Police (PNP)
- d. Department of National Defense (DND)
 - Office of Civil Defense (OCD)
 - Armed Forces of the Philippines (AFP)
- e. Department of Environment and Natural Resources (DENR)
 - Forest Management Bureau (FMB)
 - National Mapping Resources Information Authority (NAMRIA)
- f. Department of Agriculture (DA)
 - Bureau of Fisheries and Aquatic Resources (BFAR)
- g. Department of Energy (DOE)
- h. Department of Public Works and Highways (DPWH)
- i. Department of Tourism (DOT)
- j. Department of Trade and Industry (DTI)
- k. National Intelligence Coordinating Agency (NICA)

The ONSA shall facilitate the creation of technical working groups with representatives from beneficiary-agencies to address the various tasks and joint use issues the MARS Program will require.

SECTION 6. Shared Costs Based on Actual Use. - Beneficiary-agencies shall shoulder the costs of their actual use of the UAV systems as well as the proportionate share in maintenance costs for their utilization. Costs for projected use shall be indicated in their annual department budgets for inclusion in the General Appropriations Act of the year following the effectivity of this Order.

SECTION 7. Repealing Clause. - All executive issuances, orders, rules and regulations or parts thereof inconsistent with this Order are hereby repealed, amended and/or modified accordingly.

SECTION 8. Separability Clause. - If any provision of this Order is declared invalid or unconstitutional, the provisions not affected thereby shall remain valid and subsisting.

SECTION 9. Funding. - the Department of Budget and Management is hereby directed to release to the NICA an initial funding of Five Million Pesos (5,000,000) from available funds from the President' Contingency Fund to support the activation of the NMARSC, program management and specialized training costs.

SECTION 10. Effectivity. - This Executive Order shall take effect immediately.

DONE in the City of Manila, this 17th day of January, in the year of Our Lord, two thousand and six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 493
PROVIDING FOR THE CREATION OF THE INTER-AGENCY LEGAL ACTION GROUP
(IALAG) FOR THE COORDINATION OF NATIONAL SECURITY CASES

WHEREAS, acknowledging the need for a more coordinated approach, a legal action group is necessary to strengthen the inter-departmental cooperation in the investigation, prosecution and monitoring of offenses relating to national security;

WHEREAS, the Inter-Agency Legal Action Group of the IALAG is envisioned to be the entity to coordinate on-going and future efforts in pursuance of the directives herein contained;

WHEREAS, the initiatives and tasks of the concerned departments and agencies in addressing cases of national security shall at all times be conducted with utmost respect for human rights under the dictates of due process;

WHEREAS, Paragraph 2, Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987 grants to the President continuing authority to reorganize the administrative structure of the Office of the President;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creation. – There is hereby created the Inter-Agency Legal Action Group (IALAG), and such other essential subgroups as may be constituted, to provide effective and efficient handling and coordination of the investigative and prosecutorial aspects of the fight against threats to national security.

SECTION 2. Function. – The IALAG shall address specific offenses that constitute threats to national security including but not limited to cases of rebellion, sedition and related offenses. The IALAG shall also address national interest cases that threaten national security.

SECTION 3. Composition. – The IALAG shall be composed of personnel from the following departments and agencies:

- a. Office of the National Security Adviser
- b. Department of Justice
- c. Department of National Defense
- d. Department of Interior and Local Government
- e. National Intelligence Coordinating Agency
- f. Armed Forces of the Philippines
- g. Philippine National Police
- h. National Bureau of Investigation
- i. Such other units as may be tasked by the National Security Adviser.

The ONSA representative shall chair the IALAG.

SECTION 4. Oversight. – The IALAG shall report directly and shall be accountable to the National Intelligence Board (NIB) for its objectives and performance. It may, from time to time, receive instructions from the NIB towards the fulfillment of its goals.

SECTION 5. Cooperation and Assistance. – The concerned departments and agencies shall institute mechanisms and procedures to operationalize the mandate of the IALAG and its sub-groups down to the most basic organizational unit in the provincial and regional levels. The IALAG shall closely supervise and monitor operations.

All other government agencies may be called upon or deputized to provide active support and assistance to the IALAG which shall be given priority above other concerns.

SECTION 6. Secretariat. – A permanent Secretariat shall be created under the Office of the National Security Adviser. The ONSA may issue IALAG rules to clarify or to carry out the provisions of this Executive Order.

SECTION 7. Funding. – The initial funding requirement of Fifty Million Pesos (Php 50,000,000.00) for the IALAG shall be sourced from the Office of the President.

SECTION 8. Amendatory/Repealing Clause. – All other executive issuances, orders, rules and regulations or parts thereof inconsistent herewith are hereby revoked, amended and/or modified accordingly.

SECTION 7. Effectivity. – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 17th day of January, in the year of Our Lord, two thousand and six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 494
RELEASE OF UNPROGRAMMED INTERNAL REVENUE ALLOTMENT (IRA)
IN CYS 2000 AND 2001 AMOUNTING TO P17.5 BILLION

WHEREAS, Section 6 of Article X of the Constitution guarantees that local government units (LGUs) shall have a just share, as determined by law, in the national taxes which shall be automatically released to them;

WHEREAS, portions of the IRA appropriated for CYs 2000 and 2001 totaling P20 Billion were set apart and placed under Unprogrammed Fund;

WHEREAS, in the case of *Alternative Center for Organizational Reforms, et. al. vs. Hon Ronaldo Zamora, et. al.* (G.R. No. 144256), the Supreme Court held that setting apart portions of the IRA to form part of Unprogrammed Fund was unconstitutional;

WHEREAS, of the said P20 Billion IRA that was placed under Unprogrammed Fund, only P2.5 Billion has so far been released to local government units leaving an unreleased balance of P17.5 billion;

WHEREAS, the Secretary of Justice has issued Opinion No. 50, Series of 2005, clarifying that in view of the Supreme Court declaration of the unconstitutionality of the withholding of the IRA balance of P17.5 Billion, such funds should now be released to the local government units;

WHEREAS, in accordance with the constitutional mandate, the President has agreed to release to local government units the IRA balance of P17.5 Billion without disrupting the fiscal targets of the country to manage the budget deficit and maintain macroeconomic stability;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by the powers vested in me by law, do hereby order:

SECTION 1. RELEASE OF THE 17.5 BILLION IRA IN CYS 2000 AND 2001. The Department of Finance, Department of Budget and Management and Department of the Interior and Local Government shall take the necessary steps to ensure that the local government units get their respective shares from the P17.5 Billion Unprogrammed IRA in CY 2000 and CY 2001 on installment basis for a period of seven (7) years starting CY 2007 up to CY 2013, or avail in advance their respective shares from the unreleased IRA through a monetization program.

SECTION 2. IRA MONETIZATION PROGRAM – The IRA Monetization Program, as initiated by the various Leagues, is a scheme which will give local government units the option to collect in advance from the trustee bank their respective shares from the unreleased IRA at a discounted value, net of interest and other charges from the trustee bank.

SECTION 3. RESPONSIBILITIES

A. Responsibilities of Budget and Management – The DBM shall determine the share of each local government unit in the unpaid IRA on the basis of the formula prescribed in the Local

Government Code and issue the corresponding Notice of Payment Schedule (NPS) to inform local government units of their share and the schedule of payment.

B. Department of Finance. The DOF shall, subject to existing laws and regulations:

- Provide the letter of confirmation of the National Government that the 17.5 billion constitutes an obligation of the Republic of the Philippines;
- Favorably endorse to the National Government agency concerned or to the Bangko Sentral ng Pilipinas, as the case may be, the Joint Issue Managers' application to secure the necessary financial features for the issuance of the investment certificates to improve the net proceeds to the beneficiaries;
- Make arrangement with the trustee bank on the requirements for the opening of a Special Trust Account; and
- Make available the facilities of the Bureau of Treasury, including but not limited to, the Registry of Scripless Securities (RoSS), the Automated Debt Auction Processing System (ADAPS), and such other facilities as may be required and necessary for the auctioning process and the implementation of the IRA Monetization Program.

C. Department of the Interior and Local Government – The DILG shall provide assistance to the local government units which will opt to monetize such as the dissemination, distribution, collection, and monitoring of the duly accomplished Subscription Agreements (SAs) accompanied by the corresponding Sangguniang Resolution from the concerned local government units. DILG shall also inform the DBM of LGUs which will avail of the monetization program.

D. Government Financial Institutions – The government financial institutions (GFIs) shall serve as trustee banks for purposes of monetizing the IRA shares of LGUs. A Special Trust Account shall be established by the GFIs for the purpose. All transactions relative to the monetization program shall be undertaken in accordance with the existing accounting, auditing, and budgeting rules and regulations.

E. Local Government Units - Local government units which will enroll in the monetization scheme shall accomplish and submit the pertinent documents required in the monetization program.

F. Commission on Audit – The COA shall provide guidelines in the recording of the obligation in the books of account of the National Government.

SECTION 4. SEPARABILITY CLAUSE. If any section or provisions of this Executive Order shall be declared unconstitutional or invalid, the other sections or provisions not affected thereby shall remain in full force and effect.

SECTION 5. EFFECTIVITY. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 18th day of January, in the Year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 495
CREATING A CHARTER CHANGE ADVOCACY COMMISSION
AND DEFINING ITS POWERS AND FUNCTIONS

WHEREAS, Charter change is a public commitment and incorporated in the Medium-Term Philippine Development Plan for 2005 to 2010;

WHEREAS, the Consultative Commission to Propose the Revision of 1987 Constitution, created pursuant to Executive Order No. 453, s. of 2005, as amended, has submitted to the President on 16 December the proposed amendment to the 1987 Philippine Constitution, who in turn endorsed the same to the House of Representatives;

WHEREAS, there is a need for advocacy on the shift from presidential form to a parliamentary form of government, from a unitary structure of government to autonomous territories/federal states, and the liberalization of the economy;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Creation and Mandate.*- There is hereby created a Charter Change Advocacy Commission (hereinafter referred to as the “Commission”) which shall be tasked to advocate the shift from presidential form to a parliamentary form of government, from a unitary structure of government to autonomous territories/federal states, and liberalization of the economy, as embodied in the proposed amendment of the 1987 Constitution submitted by the Consultative Commission to Propose the Revision of the 1987 Constitution.

SECTION 2. *Composition of the Commission.*- The Commission shall be composed of not more than fifteen (15) members. The members of the Commission shall choose from among themselves their officers.

The members of the Commission who shall be invited by the President shall include former members of the Consultative Commission and representatives from the academe and private sector organizations who can articulate the issues involving Constitutional reform.

SECTION 3. *Organizational Support.*- The Presidential Management Staff (PMS) shall be the Secretariat of the Commission. The PMS may call upon any agency in the government to provide assistance as may be necessary in the performance of the Commission’s functions.

The Office of the Press Secretary (OPS) and the Philippine Information Agency (PIA) are hereby tasked to conduct the information and education campaign (IEC) on the issues regarding Charter change.

SECTION 4. *Funding Support.* – The initial amount of Five Million Pesos (P5,000,000.00) is hereby appropriated for the operational expenses of the Commission to be sourced from available funds in the Office of the President, subject to usual accounting and auditing rules and regulations. A portion of the budgetary appropriation shall be allocated for the per diems, travel expenses and other representation expenses of the members of the Commission.

SECTION 5. *Timeframe.*- The Commission shall cease to exist after eight (8) months from the time of its creation, unless otherwise extended by the President of the Philippines.

SECTION 6. *Repealing Clause.* All orders rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order, are hereby repeals or modified accordingly.

SECTION 7. *Effectivity.*- This Executive Order shall take effect immediately upon approval.

DONE, in the City of Manila, this 23rd day of January, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). [*Executive Order Nos.: 401 - 500*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 496

PLACING THE MINDANAO ECONOMIC DEVELOPMENT COUNCIL, ARMM SOCIAL FUND FOR PEACE AND DEVELOPMENT, MINDANAO PEACE AND DEVELOPMENT FUND AND OFFICE ON MUSLIM AFFAIRS UNDER THE OVERSIGHT OF THE OFFICE OF THE PRESIDENTIAL ADVISER ON THE PEACE PROCESS

WHEREAS, Executive Order No. 512 dated 19 March 1992, as amended, created the Mindanao Economic Development Council (MEDCo) to promote and coordinate the active and extensive participation of all sectors to effect socio-economic development of Mindanao;

WHEREAS, the ARMM Social Fund for Peace and Development (ASFPD) created pursuant to Executive Order No. 124 dated 12 September 2002 is tasked to promote peace and development in conflict affected and influenced communities in the expanded Autonomous Region in Muslim Mindanao (ARMM);

WHEREAS, the Mindanao Peace and Development Fund (MPDF) created by virtue of Executive Order No. 229 dated 21 July 2003 is similarly tasked to promote socio-economic development in conflict affected areas outside of the ARMM;

WHEREAS, Executive Order No. 122-A dated 30 January 1987 created the Office on Muslim Affairs tasked primarily to provide advice and assistance to the President in the formulation, coordination, implementation and monitoring of policies and projects affecting Muslim communities and to undertake and coordinate development programs and projects for the advancement of Muslim communities;

WHEREAS, the Office of the Presidential Adviser on the Peace Process (OPAPP) is tasked with the implementation and supervision of the comprehensive peace process as embodied in Executive Order No. 3 dated 28 February 2001 defining policy and administrative structure for Government's comprehensive peace efforts;

WHEREAS, there is a need to rationalize and consolidate peace and development efforts in Mindanao by placing the MEDCo, ASFPD, MPDF and OMA under the oversight of the OPAPP;

WHEREAS, Section 31, Title III, Chapter 10, Book III of Executive Order No. 292 series of 1987 provides that the President, subject to the policy in the Executive Office and in order to achieve simplicity, economy and efficiency, shall have the continuing authority to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. The Mindanao Economic Development Council (MEDCo), ARMM Social Fund for Peace and Development (ASFPD), Mindanao Peace and Development Fund (MPDF) and Office on Muslim Affairs (OMA) are hereby placed under the oversight of the Office of the Presidential Adviser on the Peace Process (OPAPP).

Sec. 2. The Presidential Adviser on the Peace Process shall oversee and whenever appropriate, have the authority to direct and/or manage projects related to the government's comprehensive peace and development efforts.

Sec. 3. All issuances, rules and regulations or parts thereof which are inconsistent with this Executive Order is hereby repealed or modified accordingly.

Sec. 4. This Executive Order shall take effect immediately.

Done in the City of Manila, this 23rd day of January, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 497
DELEGATING TO THE SECRETARY OF TRANSPORTATION AND COMMUNICATIONS THE
APPROVAL OF CONTRACTS ENTERED INTO BY THE TOLL REGULATORY BOARD

WHEREAS, the Toll Operation Decree of 31st March 1977 grants to the Toll Regulatory Board the power, subject to the approval of the President of the Philippines, to enter into contracts in behalf of the Republic of the Philippines with persons, natural or juridical, for the construction, operation and maintenance of toll facilities such as but not limited to national highways, roads, bridges, and public thoroughfares;

NOW THEREFORE I, GLORIA M. ARROYO, President of the Philippines do hereby delegate to the Secretary of Transportation and Communications the authority to approve contracts entered into by the Toll Regulatory Board.

DONE in the City of Manila, this 24th day of January, in the year of Our Lord, two thousand and six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 498
CREATING THE OFFICE OF THE SENIOR PRESIDENTIAL
ADVISER ON ELECTORAL REFORMS

WHEREAS, a credible electoral process is vital to the maintenance of a democratic state and stability of a nation;

WHEREAS, it is important to maintain the sanctity and credibility of the electoral process as well as institution(s) that is/are conferred by the Constitution with the exclusive charge of the enforcement and administration of all laws relevant to the conduct of elections for the purpose of insuring free, orderly, honest, peaceful and credible elections;

WHEREAS, one of the 10-point agenda of this Administration is to automate our electoral process as one of the principal means to achieve national harmony;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Creation and Mandate.* -- There is hereby created an Office of the Senior Presidential Adviser on Electoral Reforms, to examine the whole electoral process and system, and make the necessary recommendations to the President towards the establishment of greater efficiency, modernization and credibility of the said electoral system.

SECTION 2. *Appointment* -- Former Chief Justice Hilario Davide Jr. is hereby appointed as the Senior Presidential Adviser on Electoral Reforms. In the performance of his functions, he may enlist the assistance of various eminent persons known for their integrity and probity.

SECTION 3. *Functions* -- The Senior Presidential Adviser on Electoral Reforms shall have, among others, the following functions:

- a) Whenever appropriate, in consultation with the appropriate groups, individuals and sectors involved or conversant with our electoral system, review the said electoral process and make recommendation/s thereon, indicating what may be implemented by the President, or what may be referred to the Commission on Elections, or what may be referred to Congress by way of legislation, or what may be referred to a constituent body by way of Constitutional amendment;
- b) Assist the President in searching for worthy appointees to the institution(s) conferred by the Constitution with the charge of the enforcement and administration of laws relevant to the conduct of election; and
- c) Perform such other functions as the President may direct

SECTION 4. *Technical and Administrative Support* -- The Office of the President shall provide technical and administrative support to the Senior Presidential Adviser on Electoral Reforms in the performance of his functions. For this purpose, the Executive Secretary is hereby authorized

to detail any personnel from any government office to assist the Senior Presidential Adviser on Electoral Reforms.

SECTION 5. *Agency Assistance* --- The departments, bureaus, offices, agencies or instrumentalities including government owned or controlled corporations are hereby directed to extend such assistance and cooperation as the Senior Presidential Adviser on Electoral Reforms may need in the discharge of his functions.

SECTION 6. *Funds* -- The Office of the President shall provide the necessary funds for the operations of the Office of the Senior Presidential Adviser on Electoral Reforms.

SECTION 7. *Submission of Report* – The Senior Presidential Adviser on Electoral Reforms shall submit his report and recommendations to the President not later than sixty (60) days from the commencement of his work.

SECTION 8. *Effectivity* -- This Executive Order shall take effect immediately.

DONE in the City of Manila, this 26th day of January, in the year of Our Lord, two thousand and six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). [*Executive Order Nos.: 401 - 500*]. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

EXECUTIVE ORDER NO. 499

Based on the records available on file and in the possession of Malacañang Records Office, Executive Order No. 499 of Presidential Issuances of Gloria Macapagal-Arroyo was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 500
PROVIDING FOR THE EXPANSION OF AIR SERVICES TO THE
DIOSDADO MACAPAGAL INTERNATIONAL AIRPORT

WHEREAS, Section 2 of Republic Act No. 7277, as amended, declared the policy of the Government to accelerate the sound and balanced conversion into alternative productive uses of the Clark and Subic military reservations and their extensions;

WHEREAS, on April 28, 1994, Executive Order No. 174 was issued designating the Clark Special Economic Zone as the site of the future premiere international airport;

WHEREAS, on January 3, 1995, Executive Order No. 219 was issued “establishing the Domestic and International Civil Aviation Liberalization Policy”;

WHEREAS, on December 3, 2003, Executive Order No. 253 was issued “providing for the expansion of air services to the Diosdado Macapagal International Airport (DMIA)”;

WHEREAS, On June 30, 2005, the President of the Philippines declared as one of the ten-point legacy agenda of this Administration the development of Clark-Subic into the best international service and logistics center in the region.

WHEREAS, there is a growing demand among low cost passenger airlines to fly to the Philippines via the DMIA;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The government shall accelerate the full operationalization of the DMIA;

SECTION 2. Any provision of Executive Order No. 219 (series of 1995), Executive Order No. 32 (Series of 2001) and related issuances to the contrary notwithstanding, the Civil Aeronautics Board (CAB) shall process within thirty (30) days of receipt all applications for international passenger transportation service subject to the following:

- a. International passenger and cargo air access to the DMIA is hereby declared as a development route. This authority shall be granted without prejudice to any right or privilege of the applicant under Philippine law, including any Air Services Agreement (ASA) or similar air services arrangement.
- b. The increase in commercial passenger and cargo access to the DMIA shall be regarded as an enhancement of Clark-Subic as an international service and logistics center in the region.
- c. The requirement of foreign and domestic travelers and cargo from the Philippines for adequate, efficient and reliable air links at competitive rates and the increase in passenger and cargo traffic to the Philippines shall be considered as a vital component of the national interest in the grant of authority to operate passenger and cargo air services to and from the DMIA.
- d. Foreign air carriers designated by states with an ASA with the Philippines that already grants such carriers the right to operate passenger and cargo services to and from the DMIA may apply for a waiver of any restriction or limitation on capacity, type of aircraft of non-sabotage traffic rights imposed by the relevant ASA on their right to operate such air services.

Such waiver shall be granted provided its scope does not extent beyond the commercial and technical requirements for the operation of air services to and from the DMIA.

SECTION 3. The Clark Development Corporation is hereby included as a member of the Philippine Air Negotiating Panel.

SECTION 4. The Philippine Air Negotiating Panel is directed to call for Air Talks with Singapore, Malaysia, Thailand and the Republic of Korea within one (1) year from the effectivity of this Executive Order to formalize the Special Charter Permits granted by the CAB into permanent air entitlements to ensure the flights and development of Clark-Subic as an international service and logistics center.

SECTION 5. The Air Transportation Office, the Bureau of Immigration, the Bureau of Customs, the Bureau of Quarantine and other government agencies including local government units shall provide the necessary support and facilities for the expansion of passenger and cargo air services to the DMIA.

SECTION 6. All orders, circulars, memoranda, rules, regulations and other issuances or parts thereof inconsistent herewith are hereby suspended or amended accordingly.

SECTION 7. This Executive Order shall take effect immediately following its publication in a newspaper of general circulation.

DONE in the City of Manila, this 27th day of January, in the year of Our Lord, two thousand and six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 500-A

AMENDING EXECUTIVE ORDER (EO) NO. 500 DATED JANUARY 27, 2006, AND PROVIDING FOR THE EXPANSION OF AIR SERVICES TO THE DIOSDADO MACAPAGAL INTERNATIONAL AIRPORT (DMIA) AND SUBIC BAY INTERNATIONAL AIRPORT (SBIA)

WHEREAS, there is a need to amend certain provisions of Executive Order (EO) No. 500, dated 27 January 2006 in order to reflect accurately its legislative authority and to clearly delineate its territorial or jurisdictional coverage, type of services contemplated and the pre-conditions and requirements for its availability to foreign carriers;

WHEREAS, despite the urgency of putting in place all the components needed to fast-track the development of Diosdado Macapagal International Airport (DMIA) and the Subic Bay International Airport (SBIA), it is also equally important for the purpose of this objective to adopt more realistic timelines and proper phasing of activities;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The first “WHEREAS” paragraph of EO No. 500, supra, is hereby amended to read as follows:

“**WHEREAS**, Section 2 of **Republic Act (RA) No. 7227**, as amended, declared the policy of the Government to accelerate the sound and balanced conversion into alternative productive uses of the Clark and Subic military reservations and their extensions”;

SEC. 2. The fourth “WHEREAS” clause of aforesaid E.O. No. 500, is likewise amended to read as follows:

“**WHEREAS**, on December 3, 2003, Executive Order No. 253 was issued “providing for the expansion of air services to the Diosdado Macapagal International Airport (DMIA) and Subic Bay International Airport (SBIA)”;

SEC. 3. Section 2 of EO No. 500 is likewise amended to read as follows:

“**SECTION 2.** Any provision of Executive Order No. 219 (Series of 1995), Executive Order No. 32, (Series of 2001) and related issuance to the contrary notwithstanding, the Civil Aeronautics Board (CAB) shall process within thirty (30) days from receipt all applications for international passenger

transportation services to DMIA and SBIA, in accordance with the CAB's current and applicable rules, regulations and procedures, subject to the following:

- a) International passenger air access to the DMIA and SBIA is hereby declared as developmental. This authority shall be granted without prejudice to any right or privilege of the applicant under Philippine law, including any Air Services Agreement (ASA) or similar air services arrangement, subject to the technical requirements for the operation of air services to and from DMIA and SBIA;
- b) All grants of civil aviation entitlements and other forms of air traffic access, both passenger and cargo, or combination thereof, to and from DMIA and SBIA shall be geared towards the development and enhancement of these airports as new international gateways of the country;
- c) The requirement of foreign and domestic travelers and shippers of cargo from the Philippines for adequate, efficient and reliable air links at competitive rates, and the increase in passenger and cargo traffic to the Philippines shall be considered as a vital component of national interest in the grant of authority to operate passenger, cargo and/or combination thereof, air services to and from the DMIA and SBIA;
- d) Foreign air carriers designated by states with an ASA with the Philippines that has not been granted the specific right to operate passenger, cargo or combination services to and from DMIA and SBIA, may apply for 3rd and 4th freedom traffic rights to DMIA and SBIA without restriction or limitation on capacity or type of aircraft;
- e) Upon application of foreign air carriers already designated to DMIA and SBIA by their respective home countries based on existing ASAs, the CAB shall lift the limitations on 3rd and 4th freedoms and on type of aircraft as may be contained in said ASAs, only with respect to their operations to DMIA and SBIA;
- f) Foreign carriers from states with an ASA with the Philippines, but which have not been designated to any Philippine destination or point of entry may avail of the unlimited 3rd and 4th freedom traffic rights to DMIA and SBIA, provided in this Order. However, said foreign airlines shall be officially designated by their respective countries for this purpose, even beyond the provisions on designation provided under existing bilateral or multi-lateral agreements;
- g) All other forms of air traffic rights that are defined by the international civil aviation community, listed after the 4th air freedom, except cabotage, maybe subject to application by any foreign carrier. However, such application shall follow all required and existing processes and shall be evaluated by the CAB in the overall context of national interest as provided in R.A. 776 and other relevant or pertinent issuances, taking into consideration its impact on the Philippine carriers and the domestic civil aviation industry;

SEC. 4. Section 4 of E. O. 500 is further amended to read as follows:

“Section 4. The Philippine Air Negotiating Panel is directed to initiate the holding of Air Consultation Talks with Singapore, Malaysia, Thailand and the Republic of Korea within twenty (20) months from the effectivity of this Executive Order to formalize the Special Charter Permits already granted by the CAB into permanent entitlements to ensure the continuity of flights and development of the Clark-Subic area as an international gateway and aviation service and logistics center. The Philippine Air Negotiating Panel may, in compliance with this Order, use any negotiating or diplomatic options to give meaning and positive results to the envisioned objectives of this issuance.”

SEC. 5. All orders, circulars, memoranda, rules, regulations and other issuances or parts thereof inconsistent herewith are hereby superseded or amended accordingly.

SEC. 6. This Executive Order shall take effect immediately following its publication in a newspaper of general circulation.

DONE, in the City of Manila, this 22nd day of August, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 401 - 500]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 501
AMENDING EXECUTIVE ORDER NO. 367

WHEREAS, Executive Order No. 367 of October 4, 2004 renamed the Office of Constituency Affairs as the Office of External Affairs (OEA);

WHEREAS, said Executive Order provides, under Section 3, subparagraph (a), that “the system of Presidential Advisers/Assistants for Regional concerns shall form part of the Office of External Affairs”;

WHEREAS, the OEA is primarily tasked to coordinate with non-government organizations and people’s organizations;

WHEREAS, the Presidential Advisers/Assistants are the main and primary representatives of the Office of the President in the regions and as such are tasked to coordinate with government entities as well as other stakeholders in the region;

NOW THEREFORE I, GLORIA M. ARROYO, by the power vested in me as President of the Philippines do hereby order:

Section 3, subparagraph (a) of Executive Order No. 367 is hereby repealed. The Presidential Advisers/Assistants shall be part of the Office of the Executive Secretary.

Manila, 06 February 2006

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 502
BANNING THE HARVESTING, GATHERING, BUYING, SELLING, AND MUTILATING
OF MATURED AND YOUNG LEAFSHEATHS OF ABACA PLANTS (*MUSA*
***TAXILES NEE*) FOR COMMERCIAL PURPOSES.**

WHEREAS, the abaca plant, which is indigenous to the Philippines, is producing the natural fiber known worldwide as Manila Hemp;

WHEREAS, it is considered one of the high value commercial crops contributing an average of P4.5B revenue for the country and providing direct and indirect employment to an estimated 1.5 million Filipinos;

WHEREAS, it is considered an industrial crop that provide fibers for use in industrial production of pulp and paper, fibercraft, and cordage applications both for local and foreign markets;

WHEREAS, there is an unabated harvesting, gathering, buying, selling, and mutilating of its matured and young leafsheaths known locally as “bakkak” or “umbak”, thus slowly decimating its existence and threatening the source of fibers;

WHEREAS, these activities will and in numerous cases have aggravated further the spread of abaca viral diseases particularly the abaca bunchy-top, abaca mosaic and the abaca bract, and other microorganisms mostly by mechanical means and the transporting of these abaca “umbak” or “bakkak”;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order;

Section 1. Coverage. The Executive Order shall cover all areas planted and those to be planted to abaca.

Section 2. Ban. The harvesting, gathering, buying, selling, and mutilating for commercial purposes of its matured abaca plants and its young leafsheaths known locally as “bakkak” or “umbak” or any terms that may be commonly used is hereby total banned.

Section 3. Definition of Terms. The following terms shall be used for this purpose:

“**Abaca Plant**” refers to the plant scientifically known as *Musa textiles Nee* and belongs to the family Musaceae. It is similar to banana in appearance except that the leaves are upright, pointed, narrower and more tapering than the leaves of bananas.

“**Umbak or Bakkak**” or similar terms being used in different locations shall refer to the abaca leafsheaths or overlapping leafsheaths which are tightly laid one upon the other to form a solid mass commonly called as the stalk or stem of the abaca.

Section 4. Implementing Agencies. The Department of Agriculture (DA) shall supervise, and monitor the implementation of this Order. The Fiber Industry Development Authority (FIDA), an attached agency of the DA, shall be the lead agency and shall coordinate with all the Barangay, Municipal, and Provincial Government Units, the Regional Field Units of the DA including the

Philippine National Police, Philippine Ports Authority, Bureau of Customs, Legislative Officials and other government instrumentalities in the implementation of this Order.

Section 5. Implementing Rules and Regulations. The Department of Agriculture shall issue the implementing guidelines for the effective implementation of this EO, including the inclusion of a line item in the annual budget of the Fiber Industry Development Authority for the purpose.

Section 6. Repealing Clause. All executive orders, rules regulations and other issuances or parts thereof, which are inconsistent with provisions of this Executive Order, are hereby revoked or modified accordingly.

Section 7. Effectivity. This Executive Order shall take effect immediately upon its publication in a newspaper of general circulation.

DONE, in the City of Manila, this 2nd day of February, in the year of our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 503

DECLARING CERTAIN PARCELS OF LAND OWNED BY THE PHILIPPINE CHARITY SWEEPSTAKES OFFICE LOCATED AT TAYTAY, RIZAL, COVERED BY TRANSFER CERTIFICATES OF TITLE NOS. 502158 AND 502159, AND AT ANTIPOLLO CITY, COVERED BY TRANSFER CERTIFICATE OF TITLE NO. (N-49660) - RT-5, AS HOUSING SITES, AND PROVIDING FOR ITS DEVELOPMENT AND DISPOSITION TO QUALIFIED EMPLOYEES

WHEREAS, the priority concern of the Government is to provide housing to homeless Filipinos as the State is constitutionally mandated to protect and advance the right of the people to a balanced and healthful ecology, decent living conditions and social justice;

WHEREAS, the Housing and Urban Development Coordinating Council (HUDCC) is mandated to conduct an inventory of idle government lands which were not utilized for the past ten (10) years and to recommend to the President which of these lands are suitable for housing purposes under Executive Order (EO) No. 131, dated October 1, 2002, in relation to the provisions of Republic Act (RA) No. 7279, also known as the Urban Development and Housing Act of 1992;

WHEREAS, the Philippine Charity Sweepstakes Office (PCSO) owns a property at Taytay, Rizal, consisting of 3.9 hectares, covered by Transfer Certificate of Title Nos. 502158 and 502159, and another property at Antipolo City, consisting of 5.2 hectares, covered by Transfer Certificate of Title No. (N-49660) – RT-5;

WHEREAS, the PCSO has expressed its intention through PCSO Board Resolution No. 307, dated September 14, 2005, to develop its property at Taytay, Rizal for their rank and file employees and the Antipolo property for its officers' housing under the Asset Reform Program of the Government;

WHEREAS, the HUDCC has agreed to cooperate and assist the PCSO in the development and disposition of its idle land into low cost housing projects.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by the virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Declaration of Housing Site.* The non-core properties of the Philippine Charity Sweepstakes Office (PCSO) in Taytay, Rizal and Antipolo City, covered by Transfer Certificates of Title Numbers 502158, 502159 and (N-49660)-RT-5, are hereby declared housing sites. PCSO is hereby authorized to effect the development and disposition of these properties to its qualified employees.

SEC. 2. *Creation of Inter-Agency Committee.* An Inter-Agency Committee (IAC) is hereby formed to formulate the Master Development Plan and implementing guidelines for the disposition of the proclaimed sites. The IAC shall be chaired by the PCSO, co-chaired by HUDCC and the Sweepstakes Employees' Union as member, pursuant to Memorandum Order No. 74.

SEC. 3. *Inventory.* The PCSO is hereby directed to submit a comprehensive inventory of its idle/ underutilized properties to the Housing and Urban Development Coordinating Council (HUDCC) for evaluation of the viability of these properties for housing purposes.

SEC. 4. *Repealing Clause.* All existing rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed and/or amended accordingly.

SEC. 5. *Effectivity.* This Executive Order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 2nd day of February, in the year of Our Lord, two thousand and six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). [*Executive Order Nos.: 501 - 600*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 504
CREATING A SUBIC-CLARK AREA DEVELOPMENT COUNCIL, REPEALING
EXECUTIVE ORDER NO. 365 (S. 2004) AND EXECUTIVE ORDER NO. 478
(S. 2005), AND FOR OTHER PURPOSES

WHEREAS, the Subic Bay Metropolitan Authority (SBMA) was created by law as the authority over the Subic Special Economic Zone (SSEZ), and the Clark Development Corporation was created as an operating and implementing arm of the Bases Conversion Development Authority over the Clark Special Economic Zone (CSEZ);

WHEREAS, on 21 June 2001, the BCDA, SBMA, CDC and the Department of Trade and Industry (DTI) entered into a Memorandum of Understanding and Created the Subic-Clark Alliance Development (SCAD) Task Force, which shall be their policy-making body in their integrated developmental program with the SSEZ and CSEZ and the corridor between them, to be known as the Subic-Clark Alliance Developmental Program;

WHEREAS, on 30 June 2004 the President declared as one of the ten-point legacy agenda of the Arroyo administration that the Subic-Clark corridor shall be the most competitive international service and logistics center in the region;

WHEREAS, Executive Order No. 365 (s. 2004) defined the functions of the Adviser for Subic-Clark Development;

WHEREAS, Executive Order No. 478 (s. 2005) placed the BCDA and its subsidiaries and attached agencies under the policy supervision of the Department of Trade and Industry;

WHEREAS, the development of the Subic-Clark corridor involves several senior officials from different departments and agencies, with no one clearly in charge on a full-time basis;

WHEREAS, there is a need for a single body with a full-time head to rationalize resources and harmonize strategies that will ensure an integrated and coordinated approach to the development of the Subic-Clark corridor;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

SECTION 1. Creation of a Subic-Clark Area Development Council. – The SCAD Task Force is hereby transformed into a Subic-Clark Area Development Council (SCAD Council).

SECTION 2. Powers and Functions of the SCAD Council. – The SCAD Council shall perform the functions of the erstwhile SCAD Task Force.

SECTION 3. Composition. – The SCAD Council shall be composed of the following:

- a. Chairman, to be appointed by the President, with Cabinet rank, and who shall be a member of the National Economic and Development Authority (NEDA);
- b. Director-General, NEDA – Member;
- c. Secretary of Trade and Industry – Member;
- d. Chairman, BCDA – Member;
- e. Chairman, SBMA – Member;

- f. Chairman, CDC – Member;
- g. President, BCDA – Member;
- h. Administrator, SBMA – Member;
- i. President, CDC – Member;
- j. Presidential Assistant for Central Luzon – Member.

The members shall elect among themselves the Vice-Chairman.

SECTION 4. Funding. – The Department of Budget and Management shall recommend the amount and source of the initial funding for the SCAD Council.

SECTION 5. Policy Oversight over BCDA. – Policy oversight over the BCDA and its subsidiaries other than the CDC shall be exercised by the Secretary of Trade and Industry.

SECTION 6. Repealing Clause. – Executive Order No. 365 (s. 2004) and Executive Order No. 478 (s. 2005) are hereby repealed. All other executive issuances, orders, rules and regulations or parts thereof inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 7. Effectivity. – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 1st day of February, in the Year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 504-A
DEFINING THE POWERS AND FUNCTIONS OF THE SUBIC CLARK
ALLIANCE FOR DEVELOPMENT COUNCIL (SCAD COUNCIL), AMENDING
EXECUTIVE ORDER NO. 504 (s. 2006), AND FOR OTHER PURPOSES

WHEREAS, The Subic Bay Metropolitan Authority (SBMA) was created by law as the authority over the Subic Bay Freeport Zone (SBFZ), and the Clark Development Corporation (CDC) was created as an operating and implementing arm of the Bases Conversion Development Authority (BCDA) over the Clark Special Economic Zone (CSEZ);

WHEREAS, on 21 June 2001, the BCDA, SBMA, CDC and the Department of Trade and Industry (DTI) entered into a Memorandum of Understanding (MOU) creating the Subic-Clark Alliance Development (SCAD) Task Force, their policy-making body in their integrated development program with the SSEZ and CSEZ and the corridor between them, to be known as the Subic-Clark Alliance Development Program;

WHEREAS, on 30 June 2004, the President declared as one of the ten-point legacy agenda of the Arroyo administration that the Subic-Clark corridor shall be the most competitive international service and logistics center in the region;

WHEREAS, Executive Order No. 365 (S. 2004) created the Office of the Presidential Adviser on Subic-Clark Area Development and defined its functions;

WHEREAS, Executive Order No. 478 (S. 2005) placed the BCDA and its subsidiaries and attached agencies under the policy supervision of the Department of Trade and Industry, amending Executive Order No. 365 (S. 2004);

WHEREAS, Executive Order No. 504 (s. 2006) created the Subic-Clark Area Development Council, repealing Executive Order Nos. 365 (S. 2004) and 478 (S. 2005);

WHEREAS, Administrative Order No. 150 (s. 2006) renamed the Subic-Clark Area Development Council to Subic-Clark Alliance for Development Council;

WHEREAS, Executive Order No. 516 reverted the supervision of BCDA from the Department of Trade and Industry to the Office of the President, amending Executive Order 504 section 5 (S. 2005);

WHEREAS, Executive Order No. 561, series 2007, authorized the formation of the Super Regions and mandated the creation of, among others, the Luzon Urban Beltway composed of most of Central Luzon, National Capital Region (NCR), Calabarzon, Mindoro, and Marinduque;

WHEREAS, there is a need to strengthen and enhance the powers and capabilities of the SCAD Council as the single body with a full-time head to rationalize resources and harmonize strategies that will ensure an integrated and coordinated approach to the development of the SCAD corridor as a world-class mega-logistics hub and a global gateway to the Asia Pacific Region;

WHEREAS, there is a need to clearly define and state the powers and functions of the SCAD Council and the Office of the Chairman in order to effectively deal directly with the concerned agencies under its supervision, namely: Bases Conversion Development Authority (BCDA), Subic Bay Metropolitan Authority (SBMA), Clark Development Corporation (CDC) and Clark International Airport Corporation (CIAC);

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

SECTION 1. Powers and Functions of the SCAD Council. – The SCAD Council shall perform the following functions:

- a. Formulate policies and programs to develop Subic, Clark, and the corridor in between them as globally competitive Mega Logistics Hub;
- b. Review, identify and recommend priority infrastructure projects for implementation;
- c. Formulate common investment promotions activities;
- d. Harmonize in the SBFZ and CFZ such programs, policies, rules and regulations affecting investments, incentives, customs, immigration, leasing, privatization, and other matters necessarily related thereto;
- e. Perform such other functions as may be authorized.

SECTION 2. Composition. – The SCAD Council shall be composed of the following:

- a. Chairman, to be appointed by the President, with Cabinet rank, and who shall be a member of the National Economic and Development Authority (NEDA);
- b. Secretary of Trade and Industry – Vice Chairman;
- c. Chairman, BCDA – Member;
- d. Chairman, SBMA – Member;
- e. Chairman, CDC – Member;
- f. Chairman, CIAC – Member;
- g. President, BCDA – Member;
- h. Administrator, SBMA – Member;
- i. President, CDC – Member;
- j. President, CIAC – Member;

SECTION 3. Powers and Functions of the SCAD Council Chairman. – The SCAD Chairman shall be a full-time head of the Council to rationalize resources and harmonize strategies that will ensure an integrated and coordinated approach to the development of the Subic-Clark corridor and achieve its objectives. The office of the SCAD Council Chairman shall have the following duties and functions:

- a. To act as the Chief Executive Officer of the SCAD Council;
 - b. To obtain the participation of strategic partners, domestic or foreign, from the public or private sector, to spur the growth and development of Central Luzon;
 - c. To obtain the required participation, support and assistance of all relevant government agencies and entities as well as concerned local government units in the formulation of the development as well as the implementation of the key components of the said program;
 - d. To represent the Office of the President in dealings with offices, agencies and instrumentalities of the Government and with persons and entities, public or private, domestic or foreign, insofar as contributory to the development of Subic, Clark and the corridor in between them as a globally competitive international service and logistics center; and
 - e. To exercise such other powers, functions and duties as may be directed by the President insofar as the development of the Subic-Clark hub is concerned.
-

SECTION 4. Policy Oversight. – The Office of the President, through the SCAD Council Chairman, with Cabinet rank, shall exercise policy oversight over the Bases Conversion Development Authority (BCDA), Subic Bay Metropolitan Authority (SBMA), Clark Development Corporation (CDC), Clark International Airport Corporation (CIAC) in so far as the development of Clark, Subic and the Corridor between them into a major logistics hub in concerned.

SECTION 5. SCAD Council Staff. - The SCAD Council Chairman shall have staff support to carry out his functions.

SECTION 6. Role of Local Government Units, Departments, Bureaus, Offices, Agencies, and Instrumentalities. – All heads of Local Government Units within the coverage of SCAD Corridor, departments, bureaus, offices, agencies, and instrumentalities of the government are hereby directed to give full support to the SCAD Council to expedite the implementation of the various programs and projects towards the attainment of the SCAD vision.

SECTION 7. Funding. – The 3 agencies (SBMA, BCDA, and CDC) shall allocate from their respective yearly budgets an amount approved by the Department of Budget and Management for the SCADC Budget as their contributions. This fund shall be released every first week of January of the year to which it corresponds.

SCAD Council shall have the authority to generate its own revenues or funds and to disburse its own funds in accordance with government accounting rules and procedures.

SECTION 8. Repealing Clause. – All other executive issuances, orders, rules and regulations or parts thereof inconsistent with the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 9. Effectivity. – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 10th day of April, in the year of Our Lord, Two Thousand and Eight.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) IGNACIO R. BUNYE

Acting Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2008). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 505
REORGANIZING THE OFFICE OF EXTERNAL AFFAIRS

WHEREAS, Executive Order No. 344 of 2004 created the Office of the Political Adviser and the Office of Constituency Affairs;

WHEREAS, Executive Order No. 367 of 2004 renamed the Office of Constituency Affairs as the Office of External Affairs;

WHEREAS, Executive Order No. 501 of 2006 transferred the system of Presidential Advisers/ Assistants for Regional Concerns from the Office of External Affairs to the Office of the Executive Secretary;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has the continuing authority to reorganize the administrative structure of the Office of the President;

NOW, THEREFORE, I, GLORIA M. ARROYO, President of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

SECTION 1. *Amendment.* – Section 1 of Executive Order No. 367 is hereby amended to read as follows:

“SECTION 1. Office of External Relations. – The Office of Constituency Affairs created by EO 344 is hereby renamed Office of External Affairs. It shall be headed by an Undersecretary for External Affairs, who shall be under the supervision and control of the Political Adviser.”

SECTION 2. *Effectivity.* – This Executive Order shall take effect immediately.

City of Manila, February 7, 2006.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 506
EXTENDING FURTHER THE DURATION OF OPERATIONS OF THE PRESIDENTIAL
MIDDLE EAST PREPAREDNESS COMMITTEE (PMEPC) TO JUNE 30, 2006

WHEREAS, the term of the Presidential Middle East Preparedness Committee (PMEPC) expires on December 31, 2005 pursuant to Executive Order (EO) No. 451 dated July 28, 2005;

WHEREAS, tensions in the Middle East continue to exist particularly in Iraq, which pose a serious threat to the security of Filipino overseas workers in that area;

WHEREAS, there is still a need for the PMEPC to continue monitoring developments and update contingency measures to ensure the safety of Filipinos in Iraq and in the Middle East as well as uphold the current travel ban on OFWs to Iraq;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has the continuing authority to reorganize the functions of the Office of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the extension of operation of the PMEPC to June 30, 2006 or unless otherwise directed by the President.

SECTION 1. Functions – The PMEPC shall continue to exercise its functions and responsibilities as provided under EO 159 dated December 23, 2003, in relation to EO 194 and EO 195, both dated April 14, 2003, until June 30, 2006.

SEC. 2. Composition – The membership of the Committee, as enumerated under Section 3 of EO 159, as amended by EO 451, is further expanded to include one representative from the Bureau of Immigration.

SEC. 3. Funding – The Committee shall be provided an additional funding allocation of **THREE MILLION PESOS (P 3,000,000.00)** for its administrative and operational expenses to be provided by the Office of the President. Additional financial requirements that may be needed by the Committee shall be sourced out by the Department of Budget and Management from available funds of the concerned agencies forming part of the PMEPC, subject to the usual government accounting and auditing rules and regulations.

SEC. 4. Repeal – All other rules, regulations and issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 5. Effectivity – This Order shall take effect immediately.

DONE in the City of Manila, this 15th day of February, in the year of our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 507
EXTENDING THE COORDINATIVE ROLE AND PROJECT MANAGEMENT
FUNCTIONS OF THE SOUTH COTABATO/COTABATO/SULTAN KUDARAT/SARANGANI/
GENERAL SANTOS CITY (SOCSKSARGEN) AREA DEVELOPMENT PROJECT
OFFICE UNDER THE DEPARTMENT OF AGRICULTURE

WHEREAS, the SOCSKSARGEN Area Development Project (ADP) Office, since its inception in August 1991, achieved significant strides in integrating and accelerating the implementation of critical development initiatives of its component local government units;

WHEREAS, the integrated area development approach, with the support of the national government and active participation of the local government units and the private sector, has proven to be an effective mechanism in coordinating and implementing programs and projects aligned with the agri-industrial development goals of Southern Mindanao;

WHEREAS, under Executive Order (EO) No. 140, series of 2002, the SOCSKSARGEN Area Development Project Office was extended and placed it under the Department of Agriculture with its term until 31 December 2004;

WHEREAS, EO No. 223, series of 2003, reconstituted the members of the SOCSKSARGEN Area Development Project Board with the Secretary of the Department of Agriculture as Chairman;

WHEREAS, EO No. 36, series of 2001, that reconfigured Region 12, formally adopted its Medium Term Regional Development Plan through the Regional Development Council (RDC) recognizing SOCSKSARGEN as a major economic growth cluster;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order:

SECTION 1. The provision on the term of the ADP Office in Section 1 of EO 140, series of 2002, is hereby amended to read as follows:

“SOCSKSARGEN ADP Office Term. the term of SOCSKSARGEN ADP Office is hereby extended to *December 31, 2010*.”

SEC. 2. The provision on the establishment of the South Cotabato/Sarangani/General Santos City Area Development project in Section 1 of EO No. 474, series of 1991, is hereby amended to read as follows:

“SOCSKSARGEN Area Development Project Office. There is hereby established the South Cotabato/Cotabato/Sultan Kudarat/Sarangani/General Santos City-Area Development Project Office, hereinafter referred to as the SOCSKSARGEN ADP Office, as a Special Project under the *Department of Agriculture* for integrating, coordinating, supervising, directing, and formulating policies and guidelines for

the implementation of major development initiatives in the SOCSKSARGEN area. The SOCSKSARGEN ADP Office shall be composed of a Project Board and a Project Management Unit (PMU) which shall hold office in General Santos City.”

SEC. 3. *Project Board.* The SOCSKSARGEN ADP Office composed of the Project Board and The Project Management Unit (PMU) shall function under the Secretary of Agriculture (DA).

SEC. 4. *Members of the Project Board.* The composition of the project Board under Section 2 of EO 223, series of 2003, shall be composed of the following:

- a. The Secretary of Agriculture as Chairman;
- b. The Mayor of General Santos City;
- c. The Governors of the Provinces of South Cotabato, North Cotabato, Sarangani and Sultan Kudarat;
- d. The Region 12 Directors of the following departments and agencies; National Economic and Development Authority, Agriculture, Public Works and Highways, Air Transportation Office, Philippine Ports Authority, Trade and Industry, Environment and Natural Resources, Interior and Local Government, and Agrarian Reform;
- e. The Commanding General of the 6th Infantry Division of the Philippine Army;
- f. One (1) representative of the Non-Government Organizations (NGOs) nominated by the various NGOs accredited by the Regional Development Council of Region 12;
- g. One (1) representative of the business sector nominated by the Chambers of Commerce in the project area.

SEC. 5. *Vice Chair of the Project Board.* The Vice Chair of the Board shall be elected by the member of the Local Government Executives from among themselves.

SEC. 6. *Powers of the DA.* The powers and function of the DA regarding SOCSKSARGEN shall be as follows:

- a. Formulate policies and guidelines and establish sustainable development goals within the context of the Regional Development Plan and the role of SOCSKSARGEN in the Mindanao Development Framework;
- b. Provide general direction and formulate appropriate policies in the development of SOCSKSARGEN’s agricultural and agro-industrial potentials in support to the national goal of promoting agribusiness development and in increasing productivity and production efficiency;
- c. Require the concerned government agencies, non-government organizations and private sector groups to coordinate and submit their respective area-specific plans and programs to the Project Board through its secretariat, the Project Management Unit, to ensure complementation of various development initiatives in the area;
- d. Advocate, supervise, facilitate and provide overall direction in the planning and implementation of SOCSKSARGEN Food Security Program, activities and major infrastructure projects that will have critical impact to the agro-industrial development of the area like the proposed construction of the Awang-Upi-Lebak-Kalamansig-Palimbang Road, expansion of General Santos Fish Port, development of master plan for General Santos City Airport and development of a feeder airport at M’lang, Cotabato Province and the expansion of GSC Makar Port to adequately cater the increasing volume of exported agricultural commodities;

-
- e. Pool existing resources and encourage the support and participation of government and non-government institutions by creating task forces or appropriate bodies to expedite implementation of major development projects;
 - f. Review and endorse to the RDC 12, for approval, the multi-year and annual plans and investment priority programs and projects;
 - g. Review and endorse, through the RDC 12, to the Department of Budget and Management, the annual budget for the programs and projects;
 - h. Review and approve the organization of the PMU;
 - i. Review and approve contracts not otherwise governed by applicable law, rules, and regulations;
 - j. Submit to the RDC 12, NEDA Board, and Congress progress reports and such other reports as may be required;
 - k. Formulate implementing rules and regulations pertaining to the internal operations of SOCSKSARGEN ADP Office; and
 - l. Perform such other functions as the President may direct.

SEC. 7. *Project Management Unit.* The PMU shall serve as the technical and administrative secretariat of the SOCSKSARGEN ADP Office. It shall perform the following functions:

- a. Provide the technical support to the City and Provincial Planning and Development Offices, regional offices of the national government agencies, representatives of financing institutions, non-government organizations, and other entities to facilitate the implementation of major programs and projects and to ensure the smooth operation of the completed flagship projects in SOCSKSARGEN;
- b. Enter into contracts, through its Project Director, necessary for the technical and administrative operation of the SOCSKSARGEN ADP Office, subject to existing laws, government rules and regulations;
- c. Undertake periodic monitoring of the implementation of programs/projects, conduct program/project results monitoring and evaluation and make appropriate recommendations to the Project Board;
- d. Facilitate other required assistance in the implementation of programs and initiatives by concerned local and national government agencies, non-government organizations and private sector groups for the sustainable development of SOCSKSARGEN.

SEC. 8. *Coordination and Integration Mechanism.* To promote harmonious working relationship and maintain an effective coordination among development players in the area, all concerned government agencies and offices are hereby directed to closely coordinate and submit to the DA, through the PMU, their area specific plans, activities and programs, including therein accomplishments on projects monitored and coordinated by the SOCSKSARGEN ADP Office in order to ensure complementation of all development initiatives. These agencies are hereby instructed to attend and actively participate in meetings/consultations that the SOCSKSARGEN ADP Board may initiate.

SEC. 9. *Operational Requirements.* The Department of Budget and Management shall allocate, under the budget of the Department of Agriculture in the General Appropriations Act, such amount appropriate and necessary for the operational requirements of the SOCSKSARGEN ADP Office based on the work and financial program as submitted by the DA and endorsed by the RDC 12.

SEC. 10. *Repealing Clause.* All issuances or any parts thereof, which are inconsistent herewith are hereby repealed or modified accordingly.

SEC. 11. *Effectivity.* This Executive Order shall take effect immediately.

Done in the City of Manila, this 15th day of February, in the year of our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). [*Executive Order Nos.: 501 - 600*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 508
ABOLISHING THE OFFICE OF THE CABINET OFFICER FOR PRESIDENTIAL ENGAGEMENTS

WHEREAS, Executive Order No. 708 dated 27 July 1981 reorganized the Office of the President and included the Presidential Appointments Office;

WHEREAS, Executive Order No. 335 dated 19 July 2004 created the Office of the Cabinet Officer for Provincial Events (COPE);

WHEREAS, Memorandum Order No. 162 dated 4 March 2005 revised the functions and title of the COPE to be known as the Cabinet Officer for Presidential Engagements with the primary function of Appointments Secretary;

WHEREAS, Administrative Order No. 138 dated 13 January 2006 rationalized the Office of the Presidential Chief of Staff and provided that the Chief of Staff shall oversee the Appointments Office;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The COPE is hereby abolished.

SECTION 2. The Presidential Appointments Office shall be headed by a senior official of appropriate rank and shall be under the supervision and control of the Presidential Chief of Staff.

SECTION 3. All orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately.

Done in the City of Manila, this 1st day of March 2006.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 509
REORGANIZING THE TASK FORCE ON ANTI-SMUGGLING

WHEREAS, the elimination of smuggling and other acts contrary to customs laws remains among the top priorities of the government as such acts deprive the government of much-needed revenues and unfairly compete with legitimate businesses;

WHEREAS, the utilization of government resources in its campaign against smuggling needs to be optimized;

WHEREAS, Executive Order No. 385 (s. 2004) created a Task Force on Anti-Smuggling to combat large scale smuggling;

WHEREAS, the Administrative Code of 1987 provides that the President has the continuing authority to reorganize the Office of the President and to transfer functions from one department or agency to another;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. The Commissioner of Customs is hereby designated Head of the Task Force on Anti-Smuggling, with the following as Members:

Chief of Staff, Armed Forces of the Philippines
Chief, Philippine National Police (PNP)
Director, National Bureau of Investigation
Chief State Prosecutor, National Prosecution Service
Commandant, Philippine Coast Guard
General Manager, Philippine Ports Authority
Director General, National Intelligence Coordinating Agency
Chief, Criminal Investigation and Detection Group of the PNP

Section 2. All executive issuances or portions thereof, which are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

Section 3. This Executive Order shall take effect immediately.

Done in the City of Manila, this 15th day of March, in the Year of the Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 510
CREATING THE RIVER BASIN CONTROL OFFICE

WHEREAS, one of the ten points in the legacy agenda of the Arroyo Administration is to provide sustained and sustainable water to the entire country;

WHEREAS, the Medium Term Philippine Development Plan of the Arroyo Administration includes a comprehensive development plan for the country's water resources;

WHEREAS, this plan includes provisions for the supply of clean water for the entire country and for flood control;

WHEREAS, global warming has recently resulted in weather patterns that requires priority attention to flood control;

WHEREAS, for the sustainable supply of clean water and flood control, the reforestation of watershed sites is required;

WHEREAS, there are existing and planned river basin projects that should be rationalized into a master plan for flood control;

WHEREAS, there are areas in the country which have no major river basins but which have nevertheless been vulnerable to major flooding and landslides, and therefore need to be included in a master plan for flood control;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has the continuing authority to reorganize the Executive Branch.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Creation. – There is hereby created the River Basin Control Office under the Department of Environment and Natural Resources, to be headed by an Undersecretary.

Section 2. Power and Functions of the River Basin Control Office. – The River Basin Control Office shall have the following powers and functions:

- a. Together with the Department of Public Works and Highways, rationalize the various existing river basin projects such as but not limited to the following: Mt. Pinatubo Hazard Urgent Mitigation, Iloilo Flood Control, Lower Agusan Flood Control, Bicol River Basin and Watershed Management, Agno River and Allied Rivers Flood Control, KAMANAVA Flood Control, and the Pasig River Rehabilitation;
- b. Together with the Department Public Works and Highways and the National Disaster Coordinating Council, develop a national master plan for flood control by integrating the various existing river basin projects and developing additional plan components as needed;
- c. Rationalize and prioritize reforestation in watersheds such as but not limited to the watersheds of the Pampanga River and the Bicol River;

- d. Perform such other functions as the President of the Philippines or the Secretary of Environment and Natural Resources may direct.

Section 3. *Staff and Budgetary Support.* – The Undersecretary for River Basin Control shall be assisted by an Executive Director of appropriate rank for each river basin project. The Secretary of Budget and Management shall release an initial amount of P500 M for the planning, implementation and management of the river basing projects. The budget for river flood control infrastructure shall be charged to the Department of Public Works and Highways, which shall implement the projects, and the Calamity Fund. The budget for reforestation, as well as the over-all river basin control management, shall be charged to the Department of Environment and Natural Resources.

Section 4. *Agency Assistance.* – The departments, bureaus, offices, agencies or instrumentalities, including government owned or controlled corporations, are hereby directed to extend such assistance and cooperation as the River Basin Control Office may need in the discharge of its functions.

Section 5. *Repealing Clause.* – All other orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

Section 6. *Effectivity.* – This Executive Order shall take effect immediately upon approval.

DONE in the City of Manila, this 5th day of March, in the year of our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). [*Executive Order Nos.: 501 - 600*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 511
RATIONALIZING THE PUBLIC INFORMATION FUNCTIONS
AND DUTIES OF THE EXECUTIVE BRANCH

WHEREAS, the work of informing and communicating to the public the policies, programs, achievements and activities of the Executive Branch involves the offices and agencies which have these tasks such as the Office of the Press Secretary, the Office of the Communications Director, the Philippine Information Agency and the government mass media;

WHEREAS, the line departments, bureaus, offices and agencies, including government financial institutions and government-owned and/or controlled corporations, undertake similar work in the course of undertaking their main functions;

WHEREAS, there is a need for a body to guide, integrate and supervise the operation of these entities, with respect to their public information activities;

WHEREAS, Executive Order No. 348 (2. 2004) created the Office of the Communications Director;

WHEREAS, under existing laws and jurisprudence, the President has the continuing authority to reorganize the Executive Department of the Government.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. *Creation and Mandate.* – There is hereby created a Communications Group in the Office of the President which shall guide, integrate and supervise all public information dissemination activities of the Executive Branch of Government.

Section 2. *Composition.* – The Communications Group shall be headed by the Press Secretary and shall have as members the Director-General of the Philippine Information Agency and the Chairman of the government mass media organizations, both of whom shall have the rank and emoluments of Cabinet Secretary.

Section 3. *Function.* – (1) The Communication Group shall guide, integrate and supervise the public information activities, including advertisements, of all departments, bureaus, offices and agencies in the Executive Branch of the Government, including government financial institutions (GFIs) and government-owned and/or controlled corporations (GOCCs), in close consultation with the head of these entities.

(2) The Communications Group shall ensure the rationalization of the organizations directly under it, mainly the Office of the Press Secretary, the Philippine Information Agency and the government mass media organizations.

(3) The Communications Group shall meet regularly to ensure full discussion of the government's mass media initiatives and shall report to the President problems that require the Chief Executive's action or decision.

Section 4. Assistance. – The Communications Group may call upon any office in the Executive Branch of the Government, including GFIs and GOCCs, for such assistance as may be necessary in the performance of its functions.

Section 5. Funding. – Funding for the operations of the Communications Group shall be sourced from the Office of the Press Secretary, the Philippine Information Agency, the government mass media organizations, GFIs and GOCCs, subject to the usual accounting and auditing rules and regulations.

Section 6. Transfer to the Office of the Press Secretary/Supervision of the Philippine News Agency. All functions, units, properties, staff and other resources of the Office of the Communications Director are hereby transferred to the Office the Press Secretary. The Chairman of the government mass media organizations shall supervise the Philippine News Agency.

Section 7. Repealing Clause. – Executive Order No. 348, is hereby revoked. All other orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

Section 8. Effectivity. – This Executive Order shall take effect immediately.

DONE in the City of Manila, this 6th day of March, in the year of our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 512
AUTHORIZING THE NATIONAL FOOD AUTHORITY TO INTERVENE TO
PROVIDE CONSUMERS ACCESS TO REASONABLY PRICED SUGAR

WHEREAS, there is an urgent need to *provide consumers access to reasonably priced sugar* which is a basic necessity under R.A. 7581, otherwise known as the Price Act brought about by the *increasing millgate prices* thereof;

WHEREAS, under Section 3 of Executive Order No. 1028, series of 1985, the President may, for stabilization purposes, authorize the intervention by the appropriate government entity in the trading of food items if so warranted by conditions that may exist from time to time;

WHEREAS, the National Food Authority (NFA), considering its manpower, facilities and capability in the marketing of grains and non-grain commodities, is deemed to be the most appropriate government agency to intervene in the stabilization of sugar prices and supply;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Intervention by the National Food Authority. The National Food Authority (NFA) is hereby authorized to intervene in the stabilization of sugar prices. It shall procure raw sugar *allocated by the Sugar Regulatory Administration for the purpose*, in such volume as it may deem necessary in consultation with the Department of Agriculture. The NFA is further authorized to incur the necessary expenses to effectively undertake the said activity.

Section 2. Funding. For this purpose, the NFA is hereby authorized to make available and use its corporate funds, manpower, other facilities and credit lines, as well as the unremitted income accruing to the Agricultural Competitiveness Enhancement Fund (ACEF) as derived from the incentives of the Minimum Access Volume Importation of Sugar. The NFA is likewise exempted from the payment of advance Value Added Tax (VAT) when it refines its procured sugar.

Section 3. Nature of Funds. All disbursements, as well as administrative and operational expenses incurred by virtue hereof shall be treated as a Special Projects Account, subject to the usual accounting and auditing rules and regulations.

Section 4. Implementing Guidelines. The NFA, in consultation with the Department of Agriculture, shall issue the necessary guidelines to implement the provisions of this Executive Order, specifically the pricing mechanism, marketing and distribution strategies and monitoring system.

Section 5. Effectivity. This Executive Order shall take effect immediately and shall remain valid until *August 31, 2006*.

Done in the City of Manila, this 7th day of March, in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 513

**DELEGATING TO THE SECRETARY OF EDUCATION THE POWER TO EXERCISE
OVERSIGHT FUNCTION OVER THE FILM ACADEMY OF PHILIPPINES AND
THE FILM DEVELOPMENT COUNCIL OF THE PHILIPPINES**

WHEREAS, the Film Academy of the Philippines was established pursuant to Executive Order No. ("EO") 640-A, dated 05 January 1981, primarily to give due recognition, awards, distinction, appreciation and other forms of reward for significant efforts and accomplishments for the improvement and development of the motion picture art and science in the country;

WHEREAS, the Film Development Council of the Philippines, on the other hand, was created pursuant to Republic Act No. ("RA") 9167, to establish and implement, among others, a Cinema Evaluation System in accordance with the criteria specified therein;

WHEREAS, the Film Academy of the Philippines was placed under the now defunct Filipino Motion Picture Development Board created pursuant to EO 640-A (s. 1981), while the Film Development Council of the Philippines is placed under the Office of the President pursuant to Section 2 of RA 9167;

WHEREAS, the Film Academy of the Philippines and the Film Development Council of the Philippines are offices subject to the executive power of the President as provided for under Section 1, Article VII of the Constitution and under Section 11, Chapter 3, Book II of Executive Order No. 292, otherwise known as the "Administrative Code of 1987";

WHEREAS, Section 17, Article VII of the Constitution provides that the President shall have control of all executive departments, bureaus and offices and shall ensure that all laws be faithfully executed;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the power vested in me, do hereby order:

Section 1. Delegation to the Secretary of Education. The power of the President under Section 17, Article VII of the Constitution and as administrative head of the Government to exercise oversight function over the Film Academy of the Philippines and the Film Development Council of the Philippines is hereby delegated to the Secretary of Education.

Section 2. Repealing Clause. All other executive issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

Section 3. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 10th day of March, in the year of our Lord, two thousand and six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 514
ESTABLISHING THE NATIONAL BIOSAFETY FRAMEWORK, PRESCRIBING GUIDELINES
FOR ITS IMPLEMENTATION, STRENGTHENING THE NATIONAL COMMITTEE ON
BIOSAFETY OF THE PHILIPPINES, AND FOR OTHER PURPOSES

WHEREAS, there is rapid expansion of the use of modern biotechnology not only for scientific research but also for products for commercial releases and purposes;

WHEREAS, there is concern over modern biotechnology's potential impacts on the environment, particularly on biological diversity, on human health, and on social and cultural well-being;

WHEREAS, it is the policy of the State to promote the safe and responsible use of modern biotechnology and its products as one of the several means to achieve and sustain food security, equitable access to health services, sustainable and safe environment and industry development;

WHEREAS, the Cartagena Protocol on Biosafety to the United Nations Convention on Biological Diversity which the Philippines signed on 24 May 2000 entered into force on 11 September 2003;

WHEREAS, the National Committee on Biosafety of the Philippines (NCBP), Department of Science and Technology, Department of Agriculture, Department of Health, and Department of Environment and Natural Resources have played, since 1987, a pioneering and important role in developing and establishing the current biosafety system;

WHEREAS, there is a need to enhance the existing biosafety framework to better respond to the challenges presented by further advances in modern biotechnology and to comply with the administrative requirements of the Cartagena Protocol on Biosafety;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Adoption and Operationalization of the National Biosafety Framework. The National Biosafety Framework (NBF) for the Philippines, attached hereto as Annex A, is hereby adopted.

SECTION 2. Scope and Objectives. The NBF shall have the following scope and objectives:

2.1 Scope. The NBF shall apply to the development, adoption and implementation of all biosafety policies, measures and guidelines and in making biosafety decisions concerning the research, development, handling and use, transboundary movement, release into the environment and management of regulated articles.

2.2 Objectives. The NBF shall have the following objectives:

2.2.1. Strengthen the existing science-based determination of biosafety to ensure the safe and responsible use of modern biotechnology so that the Philippines and its citizens can benefit from its application while avoiding or minimizing the risks associated with it;

- 2.2.2. Enhance the decision-making system on the application of products of modern biotechnology to make it more efficient, predictable, effective, balanced, culturally appropriate, ethical, transparent and participatory; and
- 2.2.3. Serve as guidelines for implementing international obligations on biosafety.

Section 3. Administrative Framework and Decision-Making Processes. In making biosafety decisions, the administrative system and decision-making processes established in the NBF shall be complied with.

Section 4. Strengthening the National Committee on Biosafety of the Philippines (NCBP). The NCBP is hereby strengthened. Its mandate, functions, composition and organization are set forth in the NBF.

Section 5. General Mandate on Departments, Offices and Agencies. The mandates, jurisdictions and other powers of all departments and agencies in relation to biosafety and biotechnology shall be guided by the NBF and coordinated with the NCBP and each other in exercising such powers.

Section 6. Funding. The DOST, DENR, DA, and DOH shall allocate funds from their present budgets to implement the NBF, including support to the operations of the NCBP and its Secretariat. Starting 2006 and thereafter, the funding requirements shall be included in the General Appropriations Bill submitted by each of said departments to Congress.

These concerned departments shall enter into agreement on the sharing of financial and technical resources to support the NCBP and its Secretariat.

Section 7. Transition. The NCBP and its present members shall continue to exercise their present functions under Executive Order No. 430, s. 1990 until such time that it has completely reorganized under the NBF. The reorganization shall commence immediately after the DOST, DENR, DA, and DOH have entered into an agreement on the sharing of financial and technical resources to support the NCBP and its Secretariat on a sustainable basis, and shall be completed within one year from effective date of such agreement.

All members of the NCBP to be appointed by the President, as required by the NBF, shall assume their positions upon completion of the reorganization.

Section 8. Repealing and Amending Clause. All orders, rules and regulations or parts thereto which are inconsistent with any of the provisions of this Order are hereby repealed or amended accordingly. For the avoidance of doubt, the following issuances, unless amended by the respective issuing departments or agencies, shall continue to be in force and effect: Department of Agriculture Administrative Order No. 008, s. 2002; the NCBP Guidelines on the Contained Use of Genetically Modified Organisms, except for provisions on potentially harmful exotic species which are hereby repealed; and all Bureau of Food and Drugs issuances on products of modern biotechnology.

Section 9. Effectivity. This Order shall take effect fifteen days after publication in two newspapers of general circulation.

Done, in the City of Manila, this 17th day of March, in the year of our Lord, two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Reference: National Biosafety Framework for the Philippines

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 515
**CREATING THE NATIONAL ANTI-ENVIRONMENT CRIME TASK FORCE TO INVESTIGATE
AND PROSECUTE VIOLATIONS AGAINST ENVIRONMENTAL LAWS**

WHEREAS, the 1987 Constitution provides that it is a State Policy to “protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature” (Section 16, Article II);

WHEREAS, various elements, groups and individuals continue to undermine environmental laws, rules and regulations resulting in the deterioration of the environment, the destruction of natural resources and even the loss of lives;

WHEREAS, the creation of a National Anti-Environment Crime Task Force to strictly enforce environmental laws, as well as to investigate and prosecute violations thereof, is imperative in order to assure our people that their right to a balanced and healthful ecology is prioritized;

WHEREAS, the Administrative Code of 1987 provides that the President has the continuing authority to reorganize the Office of the President and to transfer functions from one department or agency to another;

WHEREAS, Presidential Decree No. (“PD”) 1416, as amended by PD 1772, further empowers the President to create entities, agencies or units of the National Government in order to attain an efficient government machinery;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1: *Creation of National Anti-Environment Crime Task Force.* – There is hereby created a National Anti-Environment Crime Task Force (“NAECTAF”) under the Presidential Anti-Organized Crime Commission (“PAOCC”) to be headed by the Secretary of Environment and Natural Resources, who shall be assisted by a Deputy NAECTAF Head. The NAECTAF shall have a Secretariat to be headed by an Executive Director.

The NAECTAF shall be manned by a composite team from the law enforcement and related agencies whose structure and staffing shall be determined by the NAECTAF Head, subject to the approval of the PAOCC, as reorganized.

Section 2. *Powers and Functions of the NAECTAF.* – The NAECTAF shall have the following powers and functions:

- a. In coordination with the Philippine National Police (“PNP”) and other law enforcement agencies, conduct and cause the immediate arrest and investigation of suspects of crimes against the environment;
- b. Conduct intelligence and counter-intelligence operations to identify environmental crime suspects and their cohorts;
- c. Refer the case/s at hand, as the NAECTAF may deem proper and necessary, to the Department of Justice and other investigative bodies for proper disposition;

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- d. Monitor and follow-up the process of on-going investigation and prosecution of cases which the NAECTAF has taken cognizance of;
 - e. Refer to appropriate agencies cases which involve alleged proceeds and gains arising from the crime against the environment for purposes of initiating forfeiture and seizure proceedings;
 - f. Call upon any department, bureau, office, agency or instrumentality of the Government, including government-owned and/or –controlled corporations and local government units to assist in the anti-environmental crime drive for a more resolute prevention, detection and investigation of environmental crimes;
 - g. Subject to existing laws, grant monetary rewards or incentives to informants giving vital information leading to the successful prosecution of criminal offenders against the environment;
 - h. Subject to existing laws, coordinate with the Witness Protection Security and Benefits Program Committee of the Department of Justice to evaluate and assess witnesses who may qualify under the provisions of Republic Act No. 6981, otherwise known as the Witness Protection and Benefit Act;
 - i. Develop public awareness and information campaigns, in partnership with local government units and civic organizations, to encourage public participation in the government’s anti-environmental crime effort;
 - j. Recommend the issuance of appropriate policies and/or the legislation of laws that would hasten the arrest and prosecution of criminals against the environment;
 - k. Undertake research work and maintain a database of information relating to environmental crimes, offenders, modus operandi and other information that may be submitted or culled from the reports of various law enforcement agencies and share with appropriate law enforcement agencies for the purpose of advancing the fight against environment crimes and the efforts at improving the protection of the environment and natural resources;
 - l. Perform such other powers and functions as may be necessary for the effective discharge of its mandate as may be assigned by the President.

Section 3. *Environmental Crimes and Violations Covered by the Powers and Functions of the NAECTAF.* – The environmental crimes and offenses covered by the powers and functions of the NAECTAF shall be violations of:

- a. PD 705, otherwise known as the “Revised Forestry Code of the Philippines,” as amended;
- b. Republic Act No. (“RA”) 7942, otherwise known as the “Philippine Mining Act of 1995”;
- c. RA 8550, otherwise known as the “Philippine Fisheries Code of 1998”;
- d. RA 7586, otherwise known as the “National Integrated Protected Areas System Act of 1992”;
- e. Various laws or issuances establishing certain areas or islands of the country as “protected areas”; and
- f. Such other environmental crimes as the President may refer to NAECTAF from time to time.

Section 4. *Coordinating Instructions.* – Nothing in this Executive Order shall be construed as a derogation of the PNP’s role as the primary general law enforcement agency of the country pursuant to RA 6975 and RA 8551. Accordingly, close coordination and cooperation shall be undertaken by the Head of the NAECTAF, the Chief of the PNP and other heads of law enforcement agencies, to ensure synergy in the anti-environmental crime campaign.

Section 5. *Funding for the NAECTAF.* – The NAECTAF’s operational budget shall be sourced from the budgets of the Department of Environment and Natural Resources and the PAOCC, as reorganized, and other available funds.

Section 6. *Repealing Clause.* – All other rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

Section 7. *Effectivity.* – This Executive Order shall take effect immediately.

Done in the City of Manila, this 15th day of March, in the Year of the Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). [*Executive Order Nos.: 501 - 600*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 516
RETURNING THE BASES CONVERSION DEVELOPMENT AUTHORITY
TO THE OFFICE OF THE PRESIDENT

WHEREAS, Executive Order No. 504 (s. 2006) Section 5 mandated the Secretary of Trade and Industry to exercise policy oversight over the Bases Conversion and Development Authority (BCDA);

NOW, THEREFORE, I GLORIA M. ARROYO, President of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

The BCDA is hereby reverted to the Office of the President. Section 5 of Executive Order No. 504 is hereby repealed.

City of Manila, 24 March 2006

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 517
AMENDING EXECUTIVE ORDER NO. 496 DATED 23 JANUARY 2006

I, **GLORIA MACAPAGAL ARROYO**, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. The Office on Muslim Affairs is hereby placed back under the oversight of the Office of the President.

Sec. 2. All issuances, rules and regulations or parts thereof which are inconsistent with this Executive Order is hereby repealed or modified accordingly.

Sec. 3. This Executive Order shall take effect immediately.

Done in the City of Manila, this **20th** day of **March**, in the year of our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 518
AMENDING EXECUTIVE ORDER NO. 124 SERIES OF 2002 PROVIDING FOR THE
IMPLEMENTING MECHANISM OF THE ARMM SOCIAL FUND PROJECT
FOR PEACE AND DEVELOPMENT

WHEREAS, this Administration is committed to pursuing a parallel policy of building peace and development in Mindanao;

WHEREAS, the amended Organic Act for the Autonomous Region in Muslim Mindanao (ARMM) was enacted by Congress under Republic Act No. 9054; and the same was ratified in a plebiscite last August 14, 2001, thereby adding the Province of Basilan and Marawi City;

WHEREAS, part of the 1996 Peace Agreement between the Government of the Republic of the Philippines and the Moro National Liberation Front (MNLF) is the provision of livelihood opportunities for former combatants in the Special Zone for Peace and Development (SZOPAD) and one such program is the SZOPAD Social Fund;

WHEREAS, a new and enhanced program to be known as the ARMM Social Fund for Peace and Development also known as ARMM Social Fund Project (ASFP) dedicated to the ARMM was designed, approved, and implemented in the ARMM starting Fiscal Year 2003 initially funded by a loan of the Philippine Government from the World Bank;

WHEREAS, the project's design allowed for expanded operations to be funded by other donors who will provide official development assistance within the framework of the ASFP program;

WHEREAS, the Japan Bank for International Cooperation provided for an additional loan to the Philippine Government to further reinforce the scaled-up operations of the ASFP;

WHEREAS, Executive Order No. 124 series of 2002 was issued to serve as the implementing mechanism for the implementation of the ARMM Social Fund Project;

WHEREAS, Section 8 of Executive Order No. 124 provides for an interface mechanism which paves the way for the organic staff of the Autonomous Regional Government to eventually take over the operations and management of the ASFP;

WHEREAS, on August 17, 2004, the ASFP Board of Directors approved the ASFP Transition Plan including the general concept of the new organizational structure to be set up once the ASFP is turned over to the Autonomous Regional Government;

WHEREAS, the new organizational structure will necessitate changes in the implementing mechanisms of the project;

WHEREAS, by December 2004, two components of the ASFP are already directly managed by the organic staff of the Autonomous Regional Government, and the supervision of the ASFP's provincial operations has been delegated to the ARMM Department of Social Welfare and Development since June 2003;

WHEREAS, Section 2 of Executive Order No. 496 dated 23 January 2006 gave the Office of the Presidential Adviser on the Peace Process the authority to oversee and whenever appropriate direct and/or manage projects related to the government's comprehensive peace and development efforts.

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Section 1 of Executive Order No. 124 is hereby amended to read as follows:

“Section 1. ASFP. There is hereby established a program fund to be known as the “ARMM Social Fund Project (ASFP) that shall have as its coverage and target beneficiaries, disadvantaged conflict affected and influenced communities in the expanded Autonomous Region in Muslim Mindanao (ARMM).”

The ASFP shall be under the oversight of the Office of the President.

Sec. 2. Section 2 of Executive Order No. 124 is hereby amended to read as follows:

“Section 2. ASFP Board. The ASFP Board shall be managed by a Board of Directors to be appointed by the President composed of the following:

- Chair - ARMM Regional Governor
- Co-Chair - Office of the Presidential Adviser on the Peace Process (OPAPP)
- Members - Executive Secretary
 - Secretary of the Department of Budget and Management (DBM)
 - Representative of the Governors of the Five Provinces of the ARMM
 - Two (2) Representatives from Civil Society Organizations (CSO)
 - Representative of Women’s Organization
 - Representative from the Business Community

The Project Manager of the ASFP Project Management Office (PMO) shall be an ex-officio non-voting member of the Board, and shall act as the Secretary of the Board.

Except for the Chair, each member of the Board shall have permanent alternate to be designated by their respective principals, who shall have full powers and authority to vote in Board meetings in the event that the principal is unable to attend.

The Chair shall recommend three (3) nominees representing the CSO, Women’s Organization and Business Community to the President for appointment as members of the Board.

The Board shall meet twice a year or as maybe necessary as determined by the Chair. As much as possible, the meetings shall be held in Cotabato City. The Board may invite in its meetings relevant government agencies and donor agencies for coordination of activities and programs of the ASFP.”

Sec. 3. Section 3 of Executive Order No. 124 is hereby amended to read as follows:

“Section 3. Functions of the ASFP Board. The ASFP Board shall perform, among others, the following functions:

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- a. Establish levels of authority and responsibilities of the ASFP Project Management Office (PMO);
 - b. Guide policies and endorse implementing guidelines (including Operations Manual) needed to accomplish the purpose and objectives of the ASFP;
 - c. Review and approve the Project's Overall Project Plan, and the Annual Operation Plan and the budget of the ASFP;
 - d. Ensure that the overall progress of the ASFP and the performance of the PMO and other operating units are on target in terms of meeting the Project's performance commitments for a given timeframe;
 - e. Ensure that an external management and financial audit is undertaken of the ASFP on an annual basis;
 - f. Authorize the Project Manager to perform any and all things necessary to implement the decisions and policies of the Board and all other matters that are delegated to him/her by the Board;
 - g. Resolve policy issues relating to the timely and effective utilization of the ASFP fund;
 - h. Ensure timely submission of semi-annual and annual reports to the Office of the President;
 - i. Promulgate rules and regulations to implement this Executive Order; and
 - j. Perform other relevant tasks that may be assigned by the President."

Sec. 4. Section 4 of Executive Order No. 124 is hereby amended to read as follows:

"Section 4. MMSC. For the efficient and fast decision-making process and to promote decentralization, there shall be established Municipal Multi-Sectoral Committees (MMSC), which shall approve the priority barangays and the appraised sub-projects following the relevant procedures in the Operations Manual in their area of jurisdiction.

There shall be nine (9) members made up of four (4) municipal officials and five (5) representatives from civil society. Each municipal MSC member shall be recommended by the Municipal Sangguniang Bayan and endorsed by the Municipal Mayor to the Provincial Governor for appointment.

The MSC shall cover the entire municipality under its area of jurisdiction. Each MSC shall be composed of the following:

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|----------|---|--|
| Chair | - | Municipal Planning and Development Coordinator |
| Co-Chair | - | President of the Municipal Chapter of Liga ng mga Barangay |
| Members | - | Private Sector Representative |
| | - | Sangguniang Bayan Chairperson for |
| | - | Social Services or Poverty Reduction Committee |
| | - | Sangguniang Bayan Chairperson for Infrastructure |
| | - | Committee |
| | - | CSO Representative |
| | - | Representative from Women's Organization |
| | - | Representative from Indigenous People |
| | - | Representative from the Business Community |
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The Municipal Social Welfare Officer (MSWO) of the respective municipality shall be the ex-officio non-voting member and shall serve as technical secretariat of the MSC.

Sec. 5. Section 5 and 6 of Executive Order No. 124 are hereby amended to read as follows:

“Section 5. ASFP-PMO. There shall be an office to be known as the ARMM Social Fund Project-Project Management Office (ASFP-PMO) that shall implement the Project. The ASFP-PMO shall have a simple and streamlined organizational structure that will allow “nearer to the ground” decision-making and efficient flow of funds to the implementing organizations. The PMO will work closely with the ARMM-DSWD for the delivery of ASFP’s Community Development Assistance (CDA) component and the ARMM-DPWH for the delivery of the ASFP’s Strategic Regional Infrastructure (SRI) component and other concerned ARMM line agencies. Selected provincial ad hoc committees can be convened to improve delivery of services if the need so arises. The ASFP-PMO may contract a limited number of technical consultants to augment its work, where necessary and upon approval by the Board.

The Board shall review and approve the Project Management Office organizational structure and staffing pattern with compensation packages following the allowable rates under Memorandum Order No. 20 dated June 25, 2001 for the project staff due to the volume of work and the security risks involved.

Section 6. Section 6 of Executive Order No. 124 is hereby deleted in view of the revised organizational structure of the ASFP.”

Sec. 7. Section 7 of Executive Order No. 124 is hereby amended to read as follows:

“Section 7. The Project Manager. A Project Manager shall be appointed and/or designated by the Regional Governor as the Chief Executive Officer of the ASFP-PMO. The Project Manager shall be an organic personnel of the Autonomous Regional Government that has extensive project implementation experience in Mindanao, and must possess the necessary educational qualifications and managerial skills to manage projects of this nature.

The Project Manager shall perform, among others, the following duties and responsibilities:

- a. Direct the preparation and timely submission to the Board of the overall Project Implementation Plan, and the ASFP Annual Operations Plan, which reflects all the Work and Financial Plans of the different components, and the Project’s Management Plan;
- b. Install and institutionalize the management systems for planning, monitoring and evaluation of the ASFP in all the Project’s operating units;
- c. Conduct monthly management meetings to determine the status of implementation plans;

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- d. Conduct quarterly meetings with the relevant ARMM line agencies which implement and/or support implementation of the ASFP;
 - e. Immediately act to resolve bottlenecks in implementation, as determined from progress reports or feedbacks from implementing units;
 - f. Assess bi-annually the performance of key staff of the PMO, and the ARMM line agencies, based on their performance commitments/contracts;
 - g. Manage the smooth and efficient operations of the ASFP-PMO and all its operating units and staff so that the objectives of ASFP can be successfully achieved;
 - h. Ensure that technical reports and policy papers are prepared and distributed in a timely manner for discussion and consideration of the Board;
 - i. Direct the preparation and submission of semi-annual and annual reports of the ASFP to the Board;
 - j. Ensure that the Board decisions are implemented and complied with;
 - k. Represent ASFP-PMO in meetings with the fund donors, international agencies, other government agencies, local government units, and the general public; and
 - l. Perform other tasks as may be assigned by the Board.”

Sec. 8. Section 8 of Executive Order No. 124 is hereby amended to read as follows:

“**Section 8. Institutional Arrangement** – The ASFP Board shall oversee the smooth transition of the ASFP to the ARMM Regional Government based on performance triggers as indicated in the Operations Manual.”

Sec. 9. Section 9 of Executive Order No. 124 is hereby amended to read as follows:

“**Section 9. Budget.** The budgetary fund requirement for the ASFP shall be included in the Annual General Appropriations Act (GAA) of the ARMM until the end of the project.”

Sec. 10. Section 10 of Executive Order No. 124 is hereby amended to read as follows:

“**Section 10. Transitory Provision.** The assets of the Central Fund Management Office (CFMO) including those acquired during the SZOPAD Social Fund (SSF) shall be transferred to the ASFP-PMO which shall be under the control and supervision of Autonomous Regional Government.”

Sec. 11. The Board shall ensure that a Comprehensive Audit of the Project will be done before the full turnover to ARG.

Sec. 12. Section 11 of Executive Order No. 124 on the repealing clause is hereby re-numbered as Section 12. Executive Order No. 496 series of 2006 is hereby repealed insofar as it places the ASFP under the oversight, supervision and/or control of OPAPP.

Sec. 13. This Executive Order shall take effect immediately.

Done in the City of Manila, this 21th day of March, in the Year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 519
DELEGATING TO THE SECRETARY OF TRADE AND INDUSTRY THE POWER TO
EXERCISE OVERSIGHT FUNCTION OVER THE OPTICAL MEDIA BOARD

WHEREAS, the Videogram Regulatory Board (VRB) created under Presidential Decree No. 1987 was reorganized into Optical Media Board (OMB) under Republic Act No. (RA) 9239, approved on February 10, 2004, otherwise known as the “Optical Media Act of 2003”;

WHEREAS, pursuant to Section 4 of RA 9239, the OMB is placed under the Office of the President;

WHEREAS, Section 17, Article VII of the 1987 Constitution provides that the President shall control of all executive departments, bureaus and offices and shall ensure that the laws be faithfully executed;

WHEREAS, paragraph 2, Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987 grants the President the continuing authority to reorganize the administrative structure of the Office of the President;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order:

Section 1. Delegation to the Secretary of Trade and Industry. The power of the President to exercise oversight function over the Optical Media Board is hereby delegated to the Secretary of Trade and Industry.

Section 2. Repealing Clause. All other executive issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

Section 3. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 21th day of March, in the year of the Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 520
TRANSFERRING THE SUPERVISION AND CONTROL OF THE
PHILIPPINE CHARITY SWEEPSTAKES OFFICE FROM THE DEPARTMENT
OF HEALTH TO THE OFFICE OF THE PRESIDENT

WHEREAS, on August 22, 2005, the President issued Executive Order No. 383 placing the Philippine Charity Sweepstakes Office (PCSO) under the supervision and control of the Department of Health;

WHEREAS, pursuant to its Charter, the PCSO is the principal government agency for raising and providing for funds for health programs, medical assistance and services and charities of national character;

WHEREAS, the support of the PCSO is vital to the social agenda of the President as detailed in the Medium Term Development Plan and the 10-Point Legacy Agenda;

WHEREAS, in order to facilitate coordination of policies and programs with the view of ensuring the effective implementation the social agenda of the President, it is best that the supervision and control over the PCSO be transferred from the Department of Health to the Office of the President;

WHEREAS, Book III, Title III, Chapter 10, Section 31 (3) of the Administrative Code of 1987 authorizes the President to “xxx transfer agencies to the office of the President from other departments or agencies as well as transfer agencies to the Office of the President from other departments or agencies”.

NOW THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Philippine Charity Sweepstakes Office shall hereby be placed under the supervision and control of the Office of the President. Unless otherwise provided, the Presidential Chief of Staff shall exercise the foregoing functions for and in behalf of the Office of the President.

SECTION 2. All orders, issuances rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this **27th** day of **March**, in the year of our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 521
ABOLISHING THE NATIONAL HEALTH PLANNING COMMITTEE

WHEREAS, Executive Order No. 205 dated 31 January 2000 created a National Health Planning Committee;

WHEREAS, there is a need to strengthen line accountabilities rather than dilute them through a proliferation of interagency committees;

NOW, THEREFORE I, GLORIA MACAPAGAL-ARROYO, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The National Health Planning Committee created by Executive Order No. 205 is hereby abolished.

SECTION 2. The Secretary of Health shall steer the implementation of health reforms. He shall formulate the blueprint for implementing health sector reforms throughout the country in accordance with the Medium-Term Philippine Development Plan for 2004-2010.

SECTION 3. Executive Order No. 205 is hereby repealed.

SECTION 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 22nd day of March, in the year of Our Lord, two thousand and six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 522
ABOLISHING THE NATIONAL ANTI-CRIME TASK FORCE AND FOR OTHER PURPOSES

WHEREAS, the National Anti-Crime Task Force (NACTAF) was created by virtue of Executive Order No. 463 dated 23 September 2005 to take cognizance of heinous crimes, including those defined and penalized under Republic Act No. 7659 (Heinous Crime Law), and was placed under the Presidential Anti-Organized Crime Commission (“PAOCC”), which is headed by the President herself;

WHEREAS, Executive Order No. 515 dated 15 March 2006 created the National Anti-Environment Crime Task Force (NAECTAF) to be headed by the Secretary of Environment and Natural Resources and was placed under the PAOCC;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has the continuing authority to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. *Abolition of National Anti-Crime Task Force.* – The National Anti-Crime Task Force (NACTAF), created pursuant to Executive Order No. 463 (EO) dated 23 September 2005 is hereby abolished.

Section 2. *Funds, Assets and Equipment.* – All the funds, assets and equipment of the NACTAF shall be turned over to the National Anti-Environment Crime Task Force (NAECTAF) created pursuant to EO 515 (s. 2006).

Section 3. *Repealing Clause.* – All orders, rules, regulations and other issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

Section 4. *Effectivity.* – This Executive Order shall take effect immediately.

Done in the City of Manila, this 31st day of March, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). [*Executive Order Nos.: 501 - 600*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 523
INSTITUTING THE USE OF ALTERNATIVE DISPUTE RESOLUTION IN THE
EXECUTIVE DEPARTMENT OF GOVERNMENT

WHEREAS, Article III, Section 16 of the Constitution guarantees the right of all persons to a speedy disposition of their cases before all judicial, quasi-judicial or administrative bodies;

WHEREAS, Republic Act No. 9285, otherwise known as the “Alternative Dispute Resolution (ADR) Act of 2004”, declares that it is the policy of the State to actively promote and encourage the use of ADR as an important means to achieve speedy and impartial justice and to declog court dockets;

WHEREAS, the use of the alternative modes of dispute resolution has proven to be effective in amicably and speedily resolving disputes filed before judicial and quasi-judicial agencies;

WHEREAS, there is a need to promote the use of ADR to achieve speedy resolution of all disputes before all administrative bodies in the Executive Department.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Use of Alternative Dispute Resolution. All administrative bodies shall promote the use of alternative modes of dispute resolution such as, but not limited to, mediation, conciliation and arbitration as part of their practice in resolving disputes filed before them.

SEC. 2. Training. All agencies of the Executive Department shall train in the field of ADR at least two (2) senior officials who shall be designated to organize, develop and implement the use of ADR in their agency.

SEC. 3. Management of Alternative Dispute Resolution in Executive Agencies. The Office of the President shall manage the development of the ADR practice in the executive agencies. It shall:

- 3.1 coordinate/direct the development of rules, regulation and procedures to implement ADR policies in each agency;
- 3.2 assist in providing training resources for the development of the use of ADR in each agency;
- 3.3 monitor and evaluate the compliance with and efficiency of the use of ADR in each agency;
- 3.4 educate and encourage the public in the use of ADR;
- 3.5 perform such other functions as may be necessary to carry into effect the purpose of this order.

SEC. 4. Principles to Promote Just and Efficient Administrative Dispute Resolution.

- 4.1 All executive agencies are mandated to review periodically their administrative dispute resolution processes and develop specific procedures to reduce delay in decision-making, to institutionalize the use of ADR processes prior to litigation, to facilitate self-representation, and expand non-lawyer counseling and representation where appropriate;

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- 4.2 All executive agencies shall review their administrative dispute resolution processes that may create or induce prejudice on the part of the decision-makers that may result in injustice to persons who appear before administrative dispute resolution bodies; regularly train all fact-finders, administrative hearing officers, and other decision makers to eliminate such prejudice; and establish appropriate mechanisms to receive and resolve complaints of such prejudice from persons who appear before administrative dispute resolution bodies;
- 4.3 An agency may propose the enactment of new laws to minimize litigation so as not unduly burden the courts. The agency's proposed legislation and regulations shall provide a clear legal standard for affected conduct rather than a general standard, and shall promote simplification and burden reduction.

SEC. 5. Funding. Funding for managing ADR programs shall be included in the yearly appropriations of each agency.

SEC. 6. Transitory Provision. Until the general policies and implementing rules and guidelines are issued by the Joint Congressional Oversight Committee, all existing ADR policies in administrative bodies, if any, shall continue to be in full force and effect. Nothing in this order shall be construed to require any administrative body to act in a manner contrary to any existing laws, rules, or regulations.

SEC. 7. Separability Clause. If any provision of this Executive Order is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in full force and effect.

SEC. 8. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 7th day of April, in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 524
EXPANDING THE PROCUREMENT SERVICE COVERAGE TO INCLUDE
GOVERNMENT EMPLOYEES' COOPERATIVES AND ASSOCIATIONS

WHEREAS, the goals of the national economy, as enshrined in Article XII, Section 1 of the 1987 Constitution, include: a more equitable distribution of opportunities, income, and wealth; a sustained increase in the amount of goods and services produced by the nation for the benefit of the people; and an expanding productivity as the key to raising the quality of life for all, especially the underprivileged;

WHEREAS, the continued increase in the prices of basic commodities has reduced the purchasing power of fixed income earners, particularly government employees;

WHEREAS, the government recognizes the need to augment the resources of government employees given the limited allowances provided to them by law through non-cash benefits such as low-priced basic commodities available for their own consumption;

WHEREAS, the National Government undertook, in two Memoranda of Undertaking for Quality Public Service and Performance, dated March 22, 2004, to set up and operate a commissary facility for government employees, thereby recognizing the need for the establishment of the aforesaid commissary;

WHEREAS, Letter of Instruction (LOI) No. 75, and Executive Order Nos. 285 and 359, dated July 25, 1987 and June 2, 1989, respectively, mandated the Procurement Service of the Department of Budget and Management to implement and operate a central procurement system for the whole of government;

WHEREAS, the Procurement Service has efficiently carried out its function of procuring government supplies, materials, and equipment from reliable sources in economic lot sizes through the centralized procurement system, thereby making them available to government agencies at low prices.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order:

SECTION 1. In the interest of public economy, efficiency, and good governance, the Procurement Service is hereby authorized to transact with and enlist the participation of government employees' cooperatives and/or associations to act as retailers/commissaries of the Procurement Service in the selling of common use and basic commodity items exclusively to government employees.

SEC. 2. The Procurement Service is likewise authorized to sell basic commodity items to government employees, in addition to the common use office supplies and equipment made available and regularly sold therein. The Procurement Service shall procure such supplies in the most economical and efficient manner, by public bidding in economic lot sizes, by observing optimum specifications and by making prompt payments.

SEC. 3. Government employees who will purchase items sold at the Procurement Service shall place their orders directly with existing employees' cooperatives or employees associations duly authorized by the Procurement Service to operate as retailers/commissary.

SEC. 4. The Secretary of the DBM shall issue such rules, regulations, and other issuances as may be necessary to ensure the effective implementation of this Executive Order.

SEC. 5. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other provisions hereof, as long as such remaining provisions can still subsist and be given effect in their entirety.

SEC. 6. All rules and regulations, other issuances or parts thereof, which are inconsistent with this Executive Order, are hereby repealed or modified accordingly.

SEC. 7. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 10th of April, in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 525
CREATING A SPECIAL TASK FORCE TO INVESTIGATE IRREGULARITIES
COMMITTED IN RELATION TO THE PAYMENT OF TAXES IN TRANSFERS OF
TITLES OF REAL PROPERTIES, AND FOR OTHER PURPOSES

WHEREAS, anti-corruption and good governance constitute one of the five main components of the Medium-Term Philippine Development Plan for 2004-2010;

WHEREAS, there are reported irregularities in relation to the payment of taxes in transfers of titles of real properties;

WHEREAS, the Department of Justice (DOJ), Office of the Ombudsman and the Commission on Audit entered into a Memorandum of Agreement on 20 September 2005 to ensure the proper payment of taxes in transfer of titles of real property and detect, investigate and prosecute corruption or irregularities committed in relation thereto;

WHEREAS, Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987 provides the President with continuing authority to organize the Office of the President;

NOW, THEREFORE, I, GLORIA M. ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. *Creation.* – There is hereby created a Task Force attached to the Presidential Anti-Graft Commission to investigate irregularities in the transfer of titles of real properties.

The Task Force shall be headed by the Presidential Adviser on Revenue Enhancement and shall include other members as needed: Provided, that three members shall come from the signatory agencies of the Memorandum of Agreement referred to above.

Section 2. *Powers and Functions.* – The Task Force shall have the following powers and functions:

- a. Investigate and gather evidence against public officials and employees of the Registries of Deeds and the Bureau of Internal Revenue as well as individuals and entities who allegedly committed irregularities in the transfer of titles of real properties without payment of the correct capital gains, documentary stamp, real estate and other taxes, without prejudice to the on-going investigation and gathering of evidence by the DOJ, or to the latter's authority to continue investigating and gathering evidence against said public officials, employees, individuals and entities;
- b. Initiate and/or recommend the filing of the appropriate administrative, civil and criminal cases;
- c. Hire personnel on a project or contractual basis;
- d. Call upon any department, bureau, office, or other agencies of the government for technical, administrative and operational assistance in the pursuit of its mandate;
- e. Coordinate with other government agencies, non-government organizations and other individuals and entities as may be deemed necessary to attain its objectives;
- f. Render assistance to the Inter-Agency Council created by the DOJ, the Ombudsman and the COA pursuant to the above Memorandum of Agreement, if called to do so.

Section 3. *Personnel.* – The hiring of personnel shall be subject to the approval of the Executive Secretary.

Section 4. *Term* – The Task Force shall exist for two years from the date of effectivity of this Order. After which its functions shall be turned over to the Department of Justice.

Section 5. *Reports.* – The Task Force shall submit quarterly reports to the Inter-Agency Council established pursuant to the abovementioned Memorandum of Agreement dated 20 September 2005.

Section 6. *Funding.* – Funds for the operation of the Task Force shall be sourced from the Office of the President and the DOJ. An initial funding of One Million Pesos (P1,000,000.00) from the appropriation of the OP and One Million Pesos (P1,000,000.00) from the appropriations of the DOJ shall be released upon effectivity of this Order.

Section 7. *Effectivity* – This Order shall take effect immediately.

DONE in the City of Manila, this 10th day of April, in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). [*Executive Order Nos.: 501 - 600*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 526

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE PREFERENTIAL TARIFF RATES ON CERTAIN PRODUCTS UNDER THE ASEAN INDUSTRIAL COOPERATION (AICO) SCHEME.

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on the AICO Scheme signed in Singapore on 27 April 1996;

WHEREAS, the Philippines is a signatory to the Protocol to Amend the Basic Agreement on the AICO Scheme signed in Singapore on 21 April 2004;

WHEREAS, the Philippines is a participating country in the approved AICO Arrangement of Philippine Auto Components, Inc. (PACI) along with Thailand;

WHEREAS, under the AICO Certificate of Eligibility No. Denso /2005/7 issued on 24 November 2005, the Philippines (Philippine Auto Components, Inc.) will import from Thailand (Denso (Thailand) Co., Ltd.) certain original equipment manufacture (OEM) parts/components for motor vehicles, as specified in Annex "A". In exchange, Thailand (Denso International (Thailand) Co., Ltd.) will import from the Philippines complementary parts/components for the OEM of motor vehicles under the aforementioned AHTN headings;

WHEREAS, in consonance with Articles 5 and 7 of the Basic Agreement of the AICO Scheme, as amended, participating companies in the approved AICO Arrangement shall qualify for 0% preferential tariff rates to be extended by Thailand and the Philippines as participating countries.

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annex "A" hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rate of 0% as specified in Column 5 thereof.

SECTION 2. The AICO rate provide in Annex "A" shall be accorded to the AICO entity from Thailand (Denso (Thailand) Co. Ltd. upon the effectivity of this Executive Order.

SECTION 3. The articles specifically listed in the aforesaid Annex "A" which are entered or withdrawn from warehouses in the Philippines for consumption shall pay the applicable AICO preferential tariff rates specified under Sections 1 hereof, subject to qualification under the Rules of Origin for the CEPT, as evidenced by the Certificate of Origin – Form "D".

SECTION 4. This Executive Order shall take effect fifteen (15) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 12th day of May, in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Reference: Annex A

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 527

TEMPORARILY MODIFYING THE RATES OF IMPORT DUTY ON CRUDE PETROLEUM OILS AND REFINED PETROLEUM PRODUCTS UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978 (PRESIDENTIAL DECREE NO. 1464), AS AMENDED

WHEREAS, soaring fuel prices to unprecedented levels brought about by current international and geo-political tensions, and tight gasoline supplies, warrant the modification in the rates of duty on crude petroleum oils and refined petroleum products to protect consumer welfare;

WHEREAS, an automatic tariff mechanism, based on certain triggers indexed to international oil prices, would soften the impact of high and rising world prices on the economy and the consuming public, without necessarily draining government revenues;

WHEREAS, Section 6 (Tariff Treatment) of Republic Act (R.A.) 8479, otherwise known as the “Downstream Oil Industry Deregulation Act of 1998,” provides that: “Any law to the contrary notwithstanding and starting with the effectivity of this Act, a single and uniform tariff duty shall be imposed and collected both on imported crude oil and imported refined petroleum products at the rate of three percent (3%): *Provided, however*, That the President of the Philippines may, in the exercise of his powers, reduce such tariff rate when in his judgment such reduction is warranted, pursuant to Republic Act No. 1937, as amended, otherwise known as the “Tariff and Customs Code”: *Provided, further*, That beginning January 1, 2004 or upon implementation of the Uniform Tariff Program under the World Trade Organization and ASEAN Free Trade Area commitments, the tariff rate shall be automatically adjusted to the appropriate level notwithstanding the provisions under this Section.”

WHEREAS, Section 401 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empowers the President of the Republic of the Philippines to increase, reduce, or remove existing rates of import duty, as well as to modify the form of duty and the tariff nomenclature, under Section 104 of the Code;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by the law, do hereby order:

SECTION 1. The articles specifically listed in Annex “A” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the Most-Favoured-Nation (MFN) rate of import duty in accordance with the schedule indicated opposite each article.

SECTION 2. The rates of import duty on tariff headings not enumerated and those listed but represented by the symbol “x x x” shall remain in force and in effect.

SECTION 3. The MFN rates on crude and refined petroleum products shall be reduced based on certain triggers indexed to oil prices in the world market. The tariffs shall be automatically restored as international oil prices move down based on the same trigger prices. The MFN rates shall take effect upon certification by the Department of Energy (DOE) that a trigger price has been reached and notification of the same shall have been made to the Department of Finance, for which the corresponding Customs Memorandum Order shall be issued by the Bureau of Customs.

SECTION 4. Upon the effectivity of this Executive Order, all articles listed in Annex “A” which are entered and withdrawn from warehouses in the Philippines for consumption shall be levied the MFN rates of duty therein prescribed in accordance with Section 3 above.

SECTION 5. The DOE, in coordination with the Department of Finance, the Department of Trade and Industry, the National Economic and Development Authority, and the Bureau of Customs shall promulgate the guidelines to implement this Executive Order.

SECTION 6. All Presidential issuances, administrative rules and regulations, or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 7. This Executive Order shall be effective for a period of six (6) months subject to review.

SECTION 8. This Executive Order shall take effect immediately following its complete publication in two (2) newspapers of general circulation in the Philippines.

Done in the City of Manila, this 12th day of May, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Reference: Annex “A”

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 528
REDUCING THE RATES OF DUTY ON CAPITAL EQUIPMENT, SPARE PARTS AND
ACCESSORIES IMPORTED BY THE BOARD OF INVESTMENTS (BOI) REGISTERED
NEW AND EXPANDING ENTERPRISES

WHEREAS, Executive Order No. 313, dated 15 May 2004, entitled “Modifying the Rates of Duty on Capital Equipment, Spare Parts and Accessories Imported by the Board of Investments (BOI) Registered New and Expanding Enterprises” provide for zero percent duty and one percent duty on certain articles imported by BOI registered new and expanding export and domestic enterprises, respectively;

WHEREAS, EO 313 is effective for a period of two (2) years from its effectivity or until 6 June 2006;

WHEREAS, the Government is committed to continually encourage investments in preferred areas of activities;

WHEREAS, there is a need to extend BOI registered enterprises duty-free treatment on importation of capital equipment, spare parts and accessories, which are currently being enjoyed by enterprises located within economic zones and freeports;

WHEREAS, importation of capital equipment is one of the major cost burdens of business enterprise in their start up operations;

WHEREAS, allowing duty free importation will make the Philippines more competitive in attracting industries in the face of an increasing competitive Asian market for foreign direct investments;

WHEREAS, Section 401 of the Tariff and Customs Code of the Philippines empowers the President of the Republic of the Philippines, upon the recommendation of the National Economic and Development Authority to increase, reduce or remove existing protective rates of import duty.

NOW, THEREFORE, I GLORIA MACAPAGAL ARROYO, President of the Philippines, by virtue of the power vested in me, do hereby order:

Section 1. Any importation of capital equipment, spare parts and accessories by enterprises registered with the Board of Investments (BOI) shall be subjected to zero (0%) duty, as indicated in Section 2 hereof.

Section 2. The zero percent (0%) duty on article or equipment classified under Chapters 40, 59, 68, 69, 70, 73, 76, 82, 83, 84, 85, 87, 89, 90, 91 and 96 of the Tariff and Customs Code of the Philippines, as amended, shall be granted to BOI registered new and expanding enterprises, upon the issuance by the BOI of a Certificate of Authority; provided that the importation of machinery, equipment, spare parts and accessories shall comply with the following conditions:

- a) They are not manufactured domestically in sufficient quantity, of comparable quality and at reasonable prices; and

- b) They are reasonably needed and will be used exclusively by the enterprise in its registered activity, unless prior approval of the BOI is secured.

Section 3. The registered enterprise cannot sell, transfer or dispose of the aforementioned capital equipment, machinery, spare parts, and accessories, without prior Board approval within five (5) years from date of importation. Otherwise, the registered enterprise will be solidarily liable to pay twice the amount of the duty foregone without prejudice to other applicable penalties under E.O. 226.

Section 4. The Board of Investments shall promulgate the implementing rules and regulations governing the importation hereof.

Section 5. All Presidential issuances, administrative rules and regulations or parts thereof, which are inconsistent with this Executive Order are hereby revoked or modified accordingly.

Section 6. This Executive Order shall take effect thirty (30) days following its complete publication in two (2) newspaper of general circulation in the Philippines and shall be availed of for a period of five (5) years from the date of effectivity of this Order or until enactment of the bill amending E.O. 226, otherwise known as the Omnibus Investment Code of 1987, as amended, whichever is earlier.

Done in the City of Manila, this 12th day of May, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 529
ADJUSTING THE DIVIDEND RATES OF METROPOLITAN WATERWORKS AND
SEWERAGE SYSTEM ON ITS 2002, 2003 AND 2004 NET EARNINGS PURSUANT TO
SECTION 5 OF REPUBLIC ACT NO. 7656

WHEREAS, Section 1 of Republic Act (RA) No. 7656 provides that:

“Section 1. Declaration of Policy - It is hereby declared the policy of the State that in order for the National Government to realize additional revenues, government-owned or controlled-corporations, without impairing their viability and the purpose for which they have been established, shall share a substantial amount of their net earnings to the National Government.”

WHEREAS, Section 5 of RA 7656 provides that, “[i]n the interest of national economy and general welfare, the percentage of annual net earnings that shall be declared by a government-owned or controlled corporations may be adjusted by the President of the Philippines upon recommendation by the Secretary of Finance”.

WHEREAS, to support the viability and mandate of the Metropolitan Waterworks and Sewerage System (MWSS), the liquidity, capital position, retained earnings and medium-term plans and programs of MWSS were considered in the determination of the reasonable dividend rates on its 2002, 2003 and 2004 net earnings.

WHEREAS, pursuant to Section 5 of RA 7656, the Secretary of Finance has recommended the adjustment on the percentages of 2002, 2003 and 2004 net earnings that shall be declared by MWSS as dividend to the National Government, in the interest of national economy and general welfare.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, do hereby order:

SECTION 1. The percentage of net earnings to be declared and remitted by MWSS as dividends to the National Government as provided for under Section 3 of Republic Act No. 7656 is authorized to be adjusted to the rates specified hereunder:

1. Eleven percent (11%), or with an equivalent amount of not less than P65.31 M for 2002; and,
2. Ten percent (10%), or with an equivalent amount of not less than P109.97 M and P66.20 M for 2003 and 2004, respectively.

SECTION 2. The adjusted dividend rates provided for under Section 1 are only applicable on the 2002, 2003 and 2004 net earnings, respectively, of MWSS.

SECTION 3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 26th day of **May**, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 530

**AUTHORIZING THE NATIONAL DEVELOPMENT COMPANY TO ISSUE BONDS UNDER
EXECUTIVE ORDER NO. 83, SERIES OF 1998, FOR THE PUMP-PRIMING ACTIVITIES
AND OTHER PROJECTS OF THE GOVERNMENT**

WHEREAS, Executive Order No. 83, Series of 1998 (“EO No. 83”), authorized the National Development Company (NDC) to issue long term bonds to support projects for economic growth under a revitalized rural development program;

WHEREAS, Section 4 of EO No. 83 provides that the proceeds from the issuance of the bonds shall be used exclusively for the development of the agricultural and agrarian sectors;

WHEREAS, there is a need to expand the coverage of EO No. 83 in order that the proceeds of the bonds to be used by NDC may be used to fund, by way of loan or any other mode of financing, the economic pump-priming activities of Government-Owned and Controlled Operations which have existing projects on housing, irrigation, infrastructure and the like which are designed to pump-prime the economy and alleviate poverty;

WHEREAS, the NDC, pursuant to Presidential Decree No. 1648, as amended (the “Revised Charter of the NDC”), is the corporate vehicle of the government designed to pursue commercial, industrial, agricultural, mining and other enterprises which may be necessary or contributory to the economic development of the country;

NOW, THEREFORE, I, GLORIA M. ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

SECTION 1. AUTHORIZING NDC TO ISSUE BONDS UNDER EO NO. 83 TO BE USED FOR ECONOMIC PUMP-PRIMING ACTIVITIES AND OTHER PROJECTS OF THE GOVERNMENT – NDC is hereby authorized to issue bonds under EO No. 83. The utilization of the proceeds of the bonds under EO No. 83 (hereinafter referred to as the “Fund”) is hereby expanded to include economic pump-priming projects of the GOCCs and any other projects designed for economic growth and poverty alleviation.

SECTION 2. UTILIZATION OF FUND AND EVALUATION OF PROJECTS – The National Economic and Development Authority and the Department of Budget and Management are hereby directed to select the GOCCs to whom NDC will lend the Fund.

The GOCCs that will borrow from the Fund shall be responsible for the implementation and monitoring of their respective projects as well as the proper disbursement of the Fund once the same has been released by NDC.

SECTION 3. REPAYMENT TO NDC – The DOF and DBM shall promulgate such rules and regulations and execute any and all documents necessary to ensure repayment to NDC of the Fund it will lend to the GOCCs and the eventual retirement of the bonds it will issue under EO No. 83 and this Executive Order.

SECTION 4. REPEALING CLAUSE – All executive issuances, rules and regulations or parts thereof which are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

SECTION 5. EFFECTIVITY – This Executive Order shall take effect immediately.

City of Manila, 24 May 2006

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 531

STRENGTHENING THE PRESIDENTIAL ANTI-GRAFT COMMISSION BY AMENDING
EXECUTIVE ORDER NO. 12 SERIES OF 2001, AS AMENDED BY EXECUTIVE ORDER NO. 327
SERIES OF 2004 AND REVOKING MEMORANDUM ORDER NO. 86 SERIES OF 2003

WHEREAS, Article VII, Section 17 of the Constitution provides that the President shall have control of all executive department, bureaus and offices;

WHEREAS, improving moral standards in government is a major thrust of the Arroyo administration;

WHEREAS, by virtue of Executive Order No. 12 dated 16 April 2001, the Presidential Anti-Graft Commission was created to assist the President in the campaign against graft and corruption;

WHEREAS, there is a need to strengthen the Presidential Anti-Graft Commission;

NOW THEREFORE, I GLORIA M. ARROYO, President of the Philippines, by virtue of the powers vested in me by the Constitution and the laws, do hereby order the following amendments to Executive Order No. 12:

SECTION 1. Operating Units of the Presidential Anti-Graft Commission. – The Presidential Anti-Graft Commission, hereinafter referred to as the “Commission;” may, subject to pertinent laws, rules and regulations, create, organize and set in operation such organizational units necessary for the performance of its powers, functions and duties and for the enforcement of this Executive Order. Such operating units shall be staffed by duly qualified personnel and those detailed to the Commission by other government entities.

The Chairperson of the Commission shall have the authority to appoint, promote and discipline the personnel of all operating units, subject to the rules and regulations of the Civil Service Commission.

The Commission may hire new personnel; provided that the organization structure and staffing pattern of the Commission and subsequent changes in the same shall be approved by the Department of Budget and Management.

SECTION 2. Jurisdiction, Powers and Functions. – (a) The Commission shall have the power, on complaint or *motu proprio*, and concurrent with the Office of the Ombudsman, to investigate, receive, gather and evaluate evidence, intelligence reports and information on or hear administrative cases against all Presidential appointees in the Executive Branch of the government and any of its agencies or instrumentalities occupying the position of Assistant Regional Director or an equivalent rank, and higher, otherwise classified as Salary Grade “26” and higher, under the Compensation and Position Classification Act of 1989 (Republic Act No. 6758) including members of the governing board of any instrumentality, regulatory agency, chartered institution, and directors or officers appointed or nominated by the President to government-owned or -controlled corporations or corporations where the government has a minority interest, or who otherwise represent the interests of the government, hereinafter referred to as “covered Presidential appointees,” as well as other public officers and employees, and private persons, in conspiracy or connivance with covered Presidential appointees, for acts or omissions constituting violations of any of the following:

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- (1) Republic Act No. 3019, as amended, otherwise known as the “Anti-Graft and Corrupt Practices Act”;
 - (2) Republic Act No. 1379 on the unlawful acquisitions of property by a public officer or employee;
 - (3) Republic Act No. 6713, otherwise known as the “Code of Conduct and Ethical Standards for Public Officials and Employees”;
 - (4) Any provisions under Title Seven, Book Two of the Revised Penal Code;
 - (5) Executive Order No. 292, Series of 1987, otherwise known as the “Administrative Code of 1987”, whenever it defines and imposes administrative sanctions on acts and omissions constituting violations of the foregoing laws and issuances;
 - (6) Rules and regulations duly promulgated by competent authority to implement any of the foregoing laws and issuances; and
 - (7) Other violations as may be referred to the Commission by the President of the Philippines.

(b) The Commission may enlist the aid and support of any law enforcement agency of the government in the exercise of its functions. It may also call upon all government agencies and instrumentalities, including government-owned and -controlled corporations for assistance, whether for acquisition of documents pertinent to its investigation or to participate in the investigation itself. The Commission may recommend the admission of vital witnesses into the Witness Protection Benefit Program administered by the Department of Justice.

(c) The Commission shall, on complaint or *motu proprio*, have the authority to administratively adjudicate all cases falling within its jurisdiction upon sufficient cause. All decisions of the Commission shall be in the form of resolutions and recommendations to the President or the Executive Secretary rendered *en banc*, and shall state, among others, the factual findings, legal conclusions and appropriate administrative penalties applicable.

(d) Upon the filing of a complaint or charge, the Commission may recommend to the President or the Executive Secretary the issuance of an order of preventive suspension against covered Presidential appointees, when the circumstances of the investigation warrant the same, as when the charges are punishable with removal from the service or when respondent’s continued stay in office would prejudice the fair determination of the case. The preventive suspension shall continue until the case is terminated by the Commission but in no case shall exceed a maximum of ninety (90) days, except when the delay in the disposition of the case is due to the fault, negligence or petition of the respondent, in which case the period of such delay shall not be counted in computing the period of suspension.

(e) The Commission shall use every and all reasonable means to ascertain the facts in each case or complaint speedily and objectively.

(f) The Commission shall, after due investigation, file the appropriate criminal complaints with the Office of the Ombudsman or the Department of Justice, or otherwise refer cases for the appropriate action of any such offices or other appropriate Constitutional Commissions or government units, including government-owned or controlled corporations, assist the prosecuting agency or officer towards the successful prosecution of such cases, and monitor the same. The Commission shall coordinate with the Office of the Ombudsman, the Department of Justice, the Anti-Money Laundering Council, and other appropriate government agencies and instrumentalities to ensure the successful prosecution of cases investigated by the Commission.

(g) The Commission shall have the mandate to formulate national anti-corruption plans and strategies pursuant to the Medium-Term Philippine Development Plan of the Arroyo administration, and cause the efficient and effective implementation of such plans and strategies. For this purpose,

the Commission shall enlist the services of the Presidential Management Staff on measures to prevent and minimize the opportunities for graft and corruption at all levels of bureaucracy.

(h) The Commission may engage the services of qualified consultants and/or deputies from the public and private sectors, subject to pertinent laws, rules and regulations.

(i) The Commission shall oversee the implementation and compliance by all agencies, instrumentalities and offices in the Executive Branch with all anti-graft and corruption laws and issuances and shall secure their compliance with integrity development or enhancement plans.

(j) The Commission may develop and conduct public awareness and information campaigns, and engage in partnerships or cooperative undertakings with local government units, civil society, people's organizations, the academe and/or the business sector, to encourage public participation in the government's anti-corruption efforts.

(k) The Commission may recommend the issuance and adoption of appropriate policies that would strengthen anti-corruption efforts and hasten the arrest and prosecution of corrupt government officers and employees, including private persons conspiring with them.

SECTION 3. Power to Summon Government Personnel and Administer Oaths. – Pursuant to its power to investigate and adjudicate, the Commission shall have the power to administer oaths and summon or subpoena government personnel and records.

SECTION 4. Effect of Non-Compliance with Summons. – Any unreasonable delay or refusal of a Presidential appointee to comply with the summons or subpoena issued by the Commission shall constitute a ground for administrative disciplinary action to be recommended by the Commission *en banc* against the Presidential appointee to whom such summons or subpoena was addressed. The Commission *en banc* may, for this purpose, also file the appropriate criminal charge or complaint against the erring public officer or employee with the civil courts, Civil Service Commission and other appropriate tribunals.

SECTION 5. Interagency Assistance and Cooperation. – All government agencies and instrumentalities shall give the Commission all the assistance and cooperation required in order to ensure the success of its programs and investigation pursuant to the provisions hereof.

SECTION 6. Disclosures. – The Commission and its personnel shall not disclose or make public any record or information in connection with any investigation, when such disclosure would deprive the respondent of his/her right to a fair and impartial disposition of the case. Only the Chairperson may disclose any information to the public; provided, that any such disclosures shall be balanced, fair and accurate.

SECTION 7. Personnel. – The Commission may from time to time restructure the plantilla, transfer officers and employees from one position to another in order to comply with the ratio of eighty percent (80%) investigative personnel and twenty percent (20%) administrative personnel.

SECTION 8. Funding. – The Commission shall have an appropriate budget as determined by the Deputy Executive Secretary for Finance.

SECTION 9. Separability Clause. – In the event that any provisions of this Executive Order or any part thereof is declared invalid, illegal or unconstitutional, the remainder of this Executive Order or any provision not thereby affected shall remain in force and effect.

SECTION 10. Revoking Memorandum Order No. 86. – Memorandum Order No. 86 dated 30 January 2003 is hereby revoked. For this purpose, the signing authority of all orders, resolutions and decisions rendered by the Commission reverts to the Executive Secretary.

SECTION 11. Repealing Clause. – All orders, rules and regulations and issuances or parts thereof inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 12. Effectivity. – This Executive Order shall take effect fifteen (15) days after its publication.

DONE, in the City of Manila this 31st day of May, 2006.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 531-A
AMENDING EXECUTIVE ORDER NO. 531, SERIES OF 2006,
TO FURTHER STRENGTHEN THE PRESIDENTIAL ANTI-GRAFT COMMISSION

WHEREAS, relative to the heightened campaign of the government against graft and corruption, there is a need to further strengthen the Presidential Anti-Graft Commission with regard to recommendations based on the findings of its investigations;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order the following amendments to Executive Order No. 531, series of 2006:

Section 1. Section 2, paragraph C shall hereinafter read as follows:

“The Commission shall, on complaint or *motu proprio*, have the authority to investigate all cases falling within its jurisdiction upon sufficient cause. All recommendations of the Commission shall be in the form of resolutions rendered *en banc* addressed to the President, and shall state, among others, the factual findings, legal conclusions and appropriate administrative penalties applicable.

The Executive Secretary may review and overrule the findings of the Commission. The Commission may move for reconsideration in accordance with established rules regarding quasi-judicial bodies.”

Section 2. Section 11 shall hereinafter read as follows:

“Repealing and Applicability Clause. – All orders, rules and regulations and issuances or parts thereof inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

This Executive Order shall apply to all decisions of the Presidential Anti-Graft Commission pending before the Office of the President or the Executive Secretary.”

Section 3. This Executive Order shall take effect immediately after its publication.

Done in the City of Manila, 23 August 2006

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 531-B
FURTHER AMENDING EXECUTIVE ORDER NO. 531, SERIES OF 2006, TO CLARIFY THE
INVESTIGATIVE JURISDICTION OF THE PRESIDENTIAL ANTI-GRAFT COMMISSION

WHEREAS, improving the moral standards in government is a major thrust of this administration;

WHEREAS, there is a need to cloth the Presidential Anti-Graft Commission with investigative authority over some members of the Armed Forces of the Philippines and the Philippine National Police on a case to case basis.

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Executive Order No. 531, series of 2006, is hereby amended by inserting a sentence after Section 2, paragraph (a), as follows:

“In addition, the President, may order the Commission to investigate presidential appointees in the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) on a case to case basis.”

SECTION 2. All orders, rules and regulations, and issuances or parts thereof inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 3. This Executive Order shall immediately take effect fifteen (15) days after its publication in a newspaper of general circulation.

Done in the City of Manila, this 13th day of December, in the year of Our Lord, two thousand and six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 532

**DELEGATING TO THE SECRETARY OF EDUCATION THE POWER TO EXERCISE
OVERSIGHT FUNCTION OVER THE NATIONAL HISTORICAL INSTITUTE**

WHEREAS, the National Historical Institute, an agency tasked, among others, to encourage researches in Philippine history as well as the writing and publication of textbooks on the subject, the research and writing of biographies of heroes including accounts of historical events, and the translation of important scholarly works of Filipino and foreigners, is attached to the National Commission for Culture and the Arts (Section 8, Republic Act No. 9155);

WHEREAS, the power to exercise oversight function over the National Commission for Culture and the Arts is delegated to the Secretary of Education (Section 1, Executive Order No. 430, s. 2005);

WHEREAS, history is a primary area of concern of education;

WHEREAS, Section 17, Article VII of the Constitution provides that the President shall have control of all executive departments, bureaus and offices and shall ensure that all laws be faithfully executed;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Delegation to the Secretary of Education. The power of the President under Section 17, Article VII of the Constitution and as administrative head of the Government to exercise oversight over the National Historical Institute is hereby delegated to the Secretary of Education.

Section 2. Repealing Clause. All other executive issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

Section 3. Effectivity. This Executive Order shall take effect immediately.

Done in the City of Manila, this 6th day of June, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 533

**ADOPTING INTEGRATED COASTAL MANAGEMENT AS A NATIONAL STRATEGY
TO ENSURE THE SUSTAINABLE DEVELOPMENT OF THE COUNTRY'S COASTAL
AND MARINE ENVIRONMENT AND RESOURCES AND ESTABLISHING SUPPORTING
MECHANISMS FOR ITS IMPLEMENTATION**

WHEREAS, the Philippines is an archipelagic state of more than 7,100 islands with a vast coastline and rich coastal and marine areas noted to be among the most important and biologically diverse in the world;

WHEREAS, coastal and marine areas are vital sources of food, minerals and raw materials, as well as natural setting for sports, recreation, and other social and cultural activities;

WHEREAS, marine-related economic activities, including fisheries, marine transportation, tourism, coastal mining, and offshore oil and gas development make significant contributions to the country's GDP as well as provide livelihood and employment opportunities to coastal communities;

WHEREAS, current trends in coastal migration and increasing human activities on land, coasts and seas exert pressure on the sustaining capacity of marine areas as well as amplify the risks of environmental degradation, destruction of vital coastal habitats, loss of marine biological diversity, and deterioration of near shore water quality;

WHEREAS, the prevailing single-sector approach to coastal and marine management has set up jurisdictional divides among sectors and government agencies, exacerbating conflicts, which result in inefficient and unsustainable use of resources;

WHEREAS, the potential benefits of the country's rich marine resources have not been fully realized due to multiple use conflicts, limited funding and insufficient capacity;

WHEREAS, Article II, Sections 15 and 16 of the Constitution provide that the State shall protect and promote the right to health of the people as well as their right to a healthful and balanced ecology in accord with the rhythm and harmony of nature;

WHEREAS, Article XII, Section 2 of the Constitution provides that the State shall protect the nation's marine wealth and exclusive economic zone and reserve its use and enjoyment exclusively to Filipino citizens;

WHEREAS, Article II, Section 10 of the Constitution provides further that the State shall promote social justice in all phases of national development;

WHEREAS, Article XIII, Section 7 of the Constitution provides that the State shall protect the rights of subsistence fishermen, especially local communities, to the preferential use of the communal marine and fishing resources, both inland and offshore and provide support to such fishermen through appropriate technology and research and other services;

WHEREAS, Article XIII, Section 16 of the Constitution recognizes the right of the people and their organizations to effective and reasonable participation at all levels of social, political, and economic decision making and provides that the State shall, by law, facilitate the establishment of adequate consultation mechanisms;

WHEREAS, due to the complexity of environmental issues and the variety of sectors benefiting from the coastal and marine resources, there is a need to adopt an innovative approach that will address environmental as well as socioeconomic issues in a comprehensive and integrated manner in order to promote optimum resource utilization and sustainable coastal and marine development;

WHEREAS, integrated coastal management is a dynamic process of planning and management involving stakeholders, and requiring the analysis of the environmental and socioeconomic implications of development, the ecosystem processes, and the interrelationships among land-based and marine-related activities across jurisdictions;

WHEREAS, integrated coastal management is recognized as an effective approach to sustainable coastal and marine development with demonstrated benefits in enhancing economic growth, ecosystem protection, promotion of social equity, and the quality of life of the people;

WHEREAS, the Philippines is a party to many international agreements on seas and oceans, principally, the Convention on the Law of the Sea, Convention on Biological Diversity, and Convention on the Prevention of Pollution from Ships, as well as non-binding instruments such as the Rio Declaration and Agenda 21, which promote integrated and sustainable coastal management;

WHEREAS, one of the UN Millennium Development Goals is to ensure environmental sustainability by integrating the principles of sustainable development into country policies and programmes and reversing the loss of environmental resources;

WHEREAS, the Plan of Implementation of the World Summit on Sustainable Development promotes integrated, multidisciplinary and multi-sectoral coastal and ocean management at the national level;

WHEREAS, the Philippines is committed to implement the Sustainable Development Strategy for the Seas of East Asia, which requires concerted efforts towards integrated coastal and ocean management;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, by virtue of the powers vested in me by the Constitution and by law, do hereby order:

SECTION 1. Integrated Coastal Management (ICM) Policy. ICM and related approaches, such as coastal resource management or coastal zone management, shall be the national management policy framework to promote the sustainable development of the country's coastal and marine environment and resources in order to achieve food security, sustainable livelihood, poverty alleviation and reduction of vulnerability to natural hazards, while preserving ecological integrity.

SEC. 2. Scope and Coverage. ICM shall be implemented in all coastal and marine areas, addressing the inter-linkages among associated watersheds, estuaries and wetlands, and coastal seas, by all relevant national and local agencies.

SEC. 3. Development of a National ICM Programme. A National ICM Programme shall be developed by the DENR, in consultation with other concerned agencies, sectors, and stakeholders, within one year from the effectivity of this Order to provide direction, support and guidance to the local government units (LGUs) and stakeholders in the development and implementation of their local ICM programmes. The National ICM Programme shall include principles, strategies, and action plans identified after balancing national development priorities with local concerns, define national ICM targets and develop a national ICM coordinating mechanism.

SEC. 4. Implementation of ICM Programmes. The implementation of ICM programmes shall take into account the following elements:

-
- a. an interagency, multi-sectoral mechanism to coordinate the efforts of different agencies, sectors and administrative levels;
 - b. coastal strategies and action plans that provide a long term vision and strategy for sustainable development of the coastal area, and a fixed term programme of actions for addressing priority issues and concerns;
 - c. public awareness programmes to increase the level of understanding of, and appreciation for, the coastal and marine resources of the area, and to promote a shared responsibility among stakeholders in the planning and implementation of the ICM programme;
 - d. mainstreaming ICM programmes into the national and local governments' planning and socio-economic development programmes and allocating adequate financial and human resources for implementation;
 - e. capacity building programmes to enhance required human resource skills, scientific input to policy and planning processes, and enforcement mechanisms to ensure compliance with adopted rules and regulations;
 - f. integrated environmental monitoring for the purpose of measuring the status, progress and impacts of management programmes against sustainable development indicators, as may be established, and for use in decision-making, public awareness, and performance evaluation; and
 - g. investment opportunities and sustainable financing mechanisms for environmental protection and improvement and resource conservation.

ICM programmes shall promote the application of best practices, such as, but not limited to:

- a. Coastal and marine use zonation as a management tool;
- b. Sustainable fisheries and conservation of living resources;
- c. Protection and rehabilitation of coral reefs, mangroves, seagrass, estuaries and other habitats, particularly through implementation of marine protected areas, nature reserves and sanctuaries;
- d. Development of upland, watershed, catchment areas and basin wide management approaches;
- e. Integrated waste management, including, sewage and solid, hazardous, toxic and other wastes by major sources;
- f. Integrated management of port safety, health, security and environmental protection; and
- g. Involvement of the private sector/business sector as a partner in ICM.

SEC. 5. National Government Responsibilities. All concerned national agencies shall support the implementation of the ICM programme and promote best practices, some of which are indicated in Section 5, that fall within their respective mandates. Specifically, the Department of Agriculture, Department of Interior and Local Government, Department of Transportation and Communications, Department of Finance, Department of Tourism, Department of Health, Department of Education, Department of Foreign Affairs, Department of Science and Technology, Department of Energy, Department of National Defense, National Economic and Development Authority, Department of Social Welfare and Development, Department of Labor and Employment, and the Department of Justice shall identify, prepare, and provide policy guidance, and technical and resource assistance to DENR and LGUs in the implementation of the National and Local ICM Programmes and enforcement of relevant coastal and marine policies and regulations. These agencies shall directly consult with relevant LGUs in the development and implementation of national plans and projects affecting coastal and marine areas in their respective localities.

SEC. 6. LGU Responsibilities for ICM. Consistent with the provisions of the Local Government Code (Republic Act 7160) and the national sustainable development policies and strategies, LGUs shall act as the frontline agencies in the formulation, planning and implementation of ICM programmes in their respective coastal and marine areas. The ICM programmes of the LGU shall be in line with the National ICM Programme and prepared in consultation with the relevant stakeholders. LGUs shall update their respective ICM programmes to reflect changing social, economic and environmental conditions and emerging issues. LGUs shall furnish the DENR, within one month from adoption, with copies of their ICM programmes and all its subsequent amendments, modifications and revisions. LGUs shall mobilize and allocate necessary personnel, resources and logistics to effectively implement their respective ICM programmes.

Barangays shall be directly involved with municipal and city governments in prioritizing coastal issues and identifying and implementing solutions. Municipal and city governments shall consider ICM as one of their regular functions. Provincial governments may provide technical assistance, training, enforcement and information management in support to municipal and city ICM. Inter-LGU collaboration shall be maximized in the conduct of activities related to sustaining the country's coastal and marine resources.

SEC. 7. Roles of the Civil Society and the Corporate and Private Sectors. In the development and implementation of the ICM programme, the NGOs, civic organizations, academe, people's organizations, the private and corporate sectors and other concerned stakeholder groups shall be engaged in activities such as planning, community organizing, research, technology transfer, information sharing, investment, and training programs.

Section 8. Supporting Mechanisms and Activities. The following activities shall be undertaken in support of the implementation of ICM programmes:

- a. ICM Education. The Department of Education shall integrate ICM into the primary and secondary education curricula and/or subjects (i.e. Science, Biology, Sibika, History, among others), including textbooks, primers and other educational materials, basic principles and concepts of conservation, protection and management of country's marine resources;
- b. ICM Training Programme for LGUs. DENR and DILG, through the Local Government Academy and building upon existing ICM expertise and experiences, shall develop and provide ICM training programmes to LGUs;
- c. Environmental and Natural Resource Accounting And Valuation For ICM Planning. NEDA and the National Statistics Coordination Board shall incorporate coastal and marine resource accounting in the national and regional accounts; and
- d. Coastal And Marine Environmental Information Management System. DENR shall oversee the establishment and maintenance of a coastal and marine environmental information management system and network, in collaboration with other concerned national government agencies, institutions and LGUs.

SEC. 9. Monitoring of ICM Progress. The DENR shall prepare and submit an annual progress report on the National ICM Programme to the President. LGUs shall submit annual progress reports on local ICM implementation to the DENR.

SEC. 10. Budget Appropriation for ICM. All relevant national government agencies and LGUs shall allocate adequate funds for the development and implementation of ICM programmes from their existing budgets. In subsequent budget proposals, the concerned offices and units shall appropriate

budget for ICM programme development and implementation including continuing ICM training and education.

SEC. 11. Other Funding Options. National government agencies may source local and international grants and donations in support of ICM implementation and in accordance with relevant laws. The Land Bank of Philippines, Development Bank of the Philippines, People's Credit and Finance Corporation and other relevant financial institutions shall formulate and identify loan and financing mechanisms that will be made available to support local ICM programmes, including alternative livelihood projects for small-scale fishers and cooperatives.

LGUs, particularly coastal cities/municipalities, as may be allowed under relevant laws, may raise revenues and secure funds to implement their ICM programme through:

1. Enactment of Tax Ordinances;
2. Allocation of funds from the Internal Revenue Allotment, subject to the approval of their legislative councils;
3. Utilization of shares in the development of national wealth;
4. Secure loans, grants and donations as may be applicable;
5. Privatization of local government-owned enterprises;
6. Adopt, as appropriate, user-fee schemes for waste management, exclusive use of coastal water areas for commercial and leisure purposes and other environmental services;
7. Public-Private Partnerships Schemes under the Build Operate Transfer Law (Republic Act 6957 as amended by Republic Act 7718) and related laws;
8. Arrange credit financing schemes; and
9. Raise income through Inter-LGU cooperation.

SEC. 12. Repealing Clause. All previous executive and administrative issuances inconsistent with this Order are hereby repealed or amended accordingly.

SEC. 13. Effectivity Clause. This Order shall be effective immediately.

DONE in the City of Manila, this 6th day of June, in the Year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 534

MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE PREFERENTIAL TARIFF RATES ON CERTAIN PRODUCTS UNDER THE ASEAN INDUSTRIAL COOPERATION (AICO) SCHEME, IN FAVOR OF HONDA CARS PHILIPPINES, INC. (HONDA) - (COE NOS. HONDA/2005/42 AND HONDA/2005/44)

WHEREAS, the Philippines is a Contracting Party to the Basic Agreement on the ASEAN Industrial Cooperation (AICO) Scheme signed in Singapore on 27 April 1996;

WHEREAS, the Philippines is a signatory to the Protocol amending the Basic Agreement on the AICO Scheme signed in Singapore on 21 April 2004;

WHEREAS, the Philippines is a participating country in the approved AICO Arrangements of Honda Cars Philippines, Inc. along with Malaysia and Thailand;

WHEREAS, under the Honda AICO Certificate of Eligibility No. Honda/2005/42, the Philippines (Honda Cars Philippines, Inc. and Honda Parts Manufacturing Corporation) will import from Malaysia (Honda Malaysia Sdn. Bhd. and Honda Autoparts Manufacturing (M) Sdn. Bhd.) certain original equipment manufacture (OEM) automotive parts/components for Honda Civic, Honda City and Honda CR-V. In exchange, Malaysia (Honda Malaysia Sdn. Bhd. and Honda Autoparts Manufacturing (M) Sdn. Bhd.) will import from the Philippines complementary parts/components for the OEM of Honda Accord, City, Civic and CR-V.

WHEREAS, under the Honda AICO Certificate of Eligibility No. Honda/2005/44, the Philippines (Honda Cars Philippines, Inc. and Honda Parts Manufacturing Corporation) will import from Thailand (Honda Automobile (Thailand) Co. Ltd.) certain original equipment manufacture (OEM) automotive parts/components for Honda Civic, Honda City, and Honda CRV. In exchange, Thailand (Honda Automobile (Thailand) Co. Ltd.) will import from the Philippines complementary parts/components for the OEM of Honda Accord, City, Civic, JAZZ and CR-V;

WHEREAS, AICO Certificate of Eligibility Nos. Honda/2005/42 and Honda/2005/44 were issued on 05 December 2005, in favor of the participating companies in the Honda AICO Arrangement;

WHEREAS, in consonance with Articles 5 and 7 of the Basic Agreement of the AICO Scheme, as amended, participating companies in the approved Honda AICO Arrangements shall qualify for 0% preferential tariff rates to be extended by Malaysia, Thailand and the Philippines as participating countries.

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The articles specifically listed in Annexes “A” and “B” hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded the AICO rate of 0% on parts/components as specified in Column 7 thereof.

SECTION 2. The AICO rate provided in Annexes “A” and “B” shall be accorded to the AICO entities in Malaysia (Honda Malaysia Sdn. Bhd. and Honda Autoparts Manufacturing (M) Sdn. Bhd.) and in Thailand (Honda Automobile (Thailand) Co. Ltd.) upon the effectivity of this Executive Order;

SECTION 3. Upon the effectivity of this Executive Order, the articles specifically listed in the aforesaid Annexes “A” and “B” which are entered or withdrawn from warehouses in the Philippines for consumption shall be subject to the applicable AICO preferential tariff rates specified under Section 1 hereof, subject to qualification under the Rules of Origin for the CEPT, as evidenced by the Certificate of Origin - Form “D”.

SECTION 4. All presidential issuances, administrative rules and regulations or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 5. This Executive Order shall take effect immediately.

Done in the City of Manila, this 14th day of June, in the year of Our Lord, two thousand and six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 535
RATIONALIZING PENSIONS FOR RETIRED ATHLETES

WHEREAS, Administrative Order No. 352 dated 24 July 1997 provided for a monthly incentive allowance plan to all living Olympic and Asian Games medalists forty (40) years old and over, and all living Olympic/Asian Games medalists who are incapacitated regardless of age;

WHEREAS, Administrative Order No. 352 estimated the initial budgetary requirement of the monthly incentive allowance plan to be P10.5 Million;

WHEREAS, Administrative Order No. 352 provided that the funds for the implementation of the plan shall be secured from the regular budget of the Philippine Sports Commission (PSC);

WHEREAS, in accordance with Administrative Order No. 352, in various board resolutions, the PSC Board approved the grant of monthly pensions to twenty-two (22) former athletes, twenty (20) of which are still alive;

WHEREAS, Section 8 Republic Act No. 9064 dated 5 April, 2001 granted cash incentives for National Athletes who win gold, silver and bronze medals in international competitions in specified amounts;

WHEREAS, Republic Act No. 9064 provided that the amount necessary for the cash incentives shall be taken from the net cash income of the Philippine Amusement and Gaming Corporation (PAGCOR), to be remitted directly as a special account to the National Sports Development Fund of the PSC. This is in addition to the regular income share of the PSC pursuant to Republic Act No. 6847;

WHEREAS, Republic Act No. 9064 provided that any national athlete who prior to its enactment had won gold, silver or bronze medals in international competitions except SEA Games shall be entitled to fifty percent (50%) of the cash incentives provided under Section 8 of such Republic Act. Such incentives shall be the difference between the cash award received under Administrative Order No. 352 and the cash award provided under Republic Act No. 9064;

NOW, THEREFORE, I, GLORIA M. ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. CONTINUATION OF MONTHLY INCENTIVE ALLOWANCE. The PSC shall continue to grant monthly incentive allowance to the twenty (20) living former athletes granted such allowance in various board resolutions. PAGCOR shall remit the amount necessary for the monthly incentive allowance to the PSC to be credited to its income share pursuant to Republic Act No. 6847;

SECTION 2. ADDITIONAL CASH INCENTIVES. The PSC shall grant to the same twenty (20) living former athletes fifty percent (50%) of the cash incentives provided under Section 8 of Republic Act No. 9064. PAGCOR shall remit the amount necessary for the cash incentives to the National Sports Development Fund of the PSC.

SECTION 3. EFFECTIVITY. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 9th day of June, in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 536
CREATING THE CEBU RAILWAY PROJECT OFFICE AND THE MINDANAO
RAILWAY PROJECT OFFICE IN THE DEPARTMENT OF TRANSPORTATION
AND COMMUNICATIONS AND FOR OTHER PURPOSES

WHEREAS, one of the 10 points of the agenda of the Arroyo administration is to develop a network of transport infrastructure to connect the entire country;

WHEREAS, another of the 10 points of the agenda of this administration is the creation of 6-10 million jobs between 2004 and 2010 by, among other infrastructures and investments, tourism investments in Central Philippines revolving around Cebu as the hub, business process outsourcing in Cebu, and agri-business investments in Mindanao;

WHEREAS, the state of economic, political and social growth, as well as the development and progress of Cebu, being in the center of tourism and business process outsourcing among others, requires dependable, convenient, economical, adequate, efficient and reliable public mass transportation system to guarantee safe, fast and dependable mobility for the greater mass of our people and the increasing number of tourists;

WHEREAS, there is a need to pursue vigorously the Cebu Light Rail Transport System to effectively solve the traffic situation in Cebu;

WHEREAS, there is a need to pursue vigorously the Mindanao Railway System to boost agri-business in Mindanao and to provide the people of Mindanao faster, cheaper, reliable and convenient means of mass transportation;

WHEREAS, bills have been filed in Congress to create the Cebu Light Rail Transport System and the Mindanao Railways Corporation.

NOW, THEREFORE, I, GLORIA M. ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Creation of the Cebu Railway Project Office and the Mindanao Railway Project Office - The Cebu Railway Project Office (CRPO) and the Mindanao Railway Project Office (MRPO) are hereby created under the Department of Transportation and Communications (DOTC) that shall pursue the development and implementation of railway projects in Cebu City and Metro Cebu, and in Mindanao, respectively.

The CRPO shall be established in Cebu City while the MRPO shall be established in Cagayan de Oro City.

Section 2. Functions of the Project Offices - The CRPO and the MRPO shall have the following functions:

1. Review and consolidate all plans relating to the establishment of the Cebu Railways and the Mindanao Railways, respectively;

2. Develop, in coordination with all other agencies concerned, a master plan for the Cebu Railways and the Mindanao Railways, respectively, and for this purpose formulate or cause to be formulated engineering studies;
3. Undertake the implementation of said plans and programs and towards this end, enter into contracts subject to existing laws and regulations for the procurement of equipment, construction of facilities and the installation of the respective systems;
4. Arrange for funding from any source, private or government, foreign or domestic, including Official Development Assistance from bilateral and multilateral agencies, to enable them to carry out their respective objectives subject to applicable laws and regulations;
5. Coordinate with local, and foreign consultants in order to avail of their expertise in railway operation;
6. Conduct consultation meetings and public hearings with the stakeholders, i.e. members of the local community, industry, local government units, non-governmental organizations, and people's organizations;
7. Explore the best funding schemes suited for the Cebu Railway System Project and the Mindanao Railway System Project, respectively, that would provide the best budgetary cost on the part of the government such as the Build-Operate-Transfer, Build-Own-Operate, Counter-Trade and other similar arrangements; and
8. Perform such other necessary activities that may help push for the immediate implementation of the respective Projects.

Section 3. Project Directors - To carry out the day-to-day operations of the CRPO and the MRPO, a Project Director shall be appointed by the President for each office. Each director shall have the following powers, duties and responsibilities:

- a) To submit for the DOTC Secretary's consideration policies and measures which are necessary to carry out the purposes and provisions of this order;
- b) To prepare the budget of his/her office respectively, for the approval of the DOTC Secretary;
- c) To execute and administer plans, policies and measures approved by the DOTC Secretary;
- d) To direct or supervise the operations and internal administration of the Project Office and, for this purpose, to delegate some or any of his/her powers and duties to other officers of the Office, subject to the rules and regulations approved by the DOTC;
- e) Subject to the guidelines and policies established by the DOTC Secretary, to appoint all employees of the Project Office, and to dismiss or otherwise discipline for cause, such employees in accordance with the standard guidelines for personnel, subject to the Civil Service Law;
- f) To represent the Project Office in all dealings with other offices, agencies and instrumentalities of the Government and with all persons and entities, public or private;
- g) To prepare an annual report on the activities of the Project Office on or before the end of the first quarter after the fiscal year completed and to submit a copy thereof to the DOTC Secretary with copies furnished to the President of the Philippines and the Congress of the Philippines; and
- h) To exercise such other powers and duties that are proper or necessary to carry out the purposes of this Order as may be vested in him/her by the DOTC.

Section 4. Provision of Funds - Funds needed to finance the activities of the CRPO and the MRPO for the initial year shall be provided from the funds of the DOTC, subject to the usual accounting and auditing rules and regulations.

Funding requirements for the operations of the CRPO and the MRPO for the ensuing years shall be included in the succeeding General Appropriations Act.

Section 5. Separability Clause - Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions of this Executive Order as long as such remaining portions or provisions can still subsist and be given effect.

Section 6. Repealing Clause - All executive orders, rules or regulations or other issuances or parts thereof that are inconsistent with the provisions of this Executive Order are hereby revoked, repealed and/or modified accordingly.

Section 7. Effectivity - This Executive Order shall take effect fifteen (15) days after its publication in at least one (1) national paper of general circulation.

Done in the City of Manila, this 25th day of May, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 537

DIRECTING THE PRESIDENT OF THE UNIVERSITY OF THE PHILIPPINES TO FORMULATE
AND IMPLEMENT A PLAN OF ACTIVITIES FOR THE COMMEMORATION OF
ITS CENTENNIAL YEAR, AND FOR OTHER PURPOSES

WHEREAS, Proclamation 913 was issued on 06 September 2005 declaring 2008 as the University of the Philippines Centennial Year;

WHEREAS, there is a need to centralize and thereby strengthen the effective implementation of the plan of activities by designating a focal person for the purpose;

WHEREAS, in order to ensure the success of this endeavor, there is also a need to engage the public and private sectors to assist in the fund raising campaign and other aspects of the commemoration;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. The President of the University of the Philippines is hereby directed to formulate and implement a plan of activities for the occasion. For this purpose, the President of the University of the Philippines may invite UP alumni and the public and private sectors to assist and ensure the success of this endeavor.

Section 2. All orders, rules, regulations and issuances or parts thereof, which are inconsistent with this Executive Order, are hereby revoked, amended, or modified accordingly.

Section 3. This Executive Order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 4th day of July, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 538

AN ORDER REPEALING EXECUTIVE ORDER NO. 502 “BANNING THE HARVESTING, GATHERING, BUYING, SELLING AND MUTILATING OF MATURED AND YOUNG LEAFSHEATHS OF ABACA PLANTS (MUSA TEXTILES NEE) FOR COMMERCIAL PURPOSES”.

WHEREAS, Executive Order No. 502 entitled “Banning the Harvesting, Gathering, Buying, Selling and Mutilating of Matured and Young Leafsheaths of Abaca Plants (Musa Textiles Nee) for Commercial Purposes” was issued on February 2, 2006;

WHEREAS, the harvesting, gathering, buying, selling and mutilating of mature and young leafsheaths (locally known as “bakkak” or “umbak”) of abaca plant are prohibited by Executive Order No. 502, for the primary purpose of preventing the spread of abaca diseases which has affected certain areas in Southern Leyte and adjoining areas;

WHEREAS, the Local Governments of disease-infected barangays of Maasin, Baybay, Sugod and Bontok in Southern Leyte and Mahaplag in Leyte have issued the necessary ordinances to control the spread of abaca disease;

WHEREAS, “bakkak” or “umbak” is used as a raw material for local and export products;

WHEREAS, the ban resulted to a disruption in the material supply chain of furniture, furnishing and handicrafts exports that use “bakkak” or “umbak” as raw materials, thus resulting in significant economic losses to stakeholders;

WHEREAS, there are still disease-free areas in the Philippines where “bakkak” or “umbak” can be sourced thus the withdrawal of the ban would not cause harm to the public good and welfare;

WHEREAS, Section 1 of EO 428 mandates the simplification of rules and regulations and the reduction of reportorial requirements to facilitate doing business and encourage more investments in the country thereby allowing business and industry to devote maximum effort and time to their operation and expansion rather than in compliance with excessive bureaucratic requirements wherein LGUs are encouraged to adopt similar measures.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Sec. 1 Executive Order No. 502 dated February 2, 2006 is hereby repealed.

Sec. 2 The Local Government units of disease-infected barangays in Southern Leyte and Leyte provinces are hereby encouraged to strictly implement their ordinances restricting the transport of “bakkak” or “umbak” until the abaca disease is sufficiently controlled.

Sec. 3 All executive orders or issuances, or portions thereof, which are inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

Sec. 4 This Executive Order shall take effect immediately.

DONE in the City of Manila on this 4th day of July, in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 539

**AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS-REGION VII TO
DISPOSE OF ITS PROPERTY SITUATED IN DUMLOG, TALISAY CITY, PROVINCE OF
CEBU AS RELOCATION SITE AND FOR OTHER PURPOSES**

WHEREAS, the Department of Public Works and Highways (DPWH) acquired a 32,478-sqm property situated in Dumlog, Talisay City, Province of Cebu to serve as its relocation site for the Informal Settlers Families (ISFs) affected by the implementation of the Cebu South Coastal Road Project (CSCR);

WHEREAS, the subject property is more than enough to accommodate the ninety six (96) ISFs who are resettled temporarily elsewhere;

WHEREAS, the DPWH and the City Government of Talisay (LGU-Talisay City) expressed their intention to utilize 11, 574 sqm and 12, 971 sqm of the said property for its Regional Office and modern slaughterhouse, respectively;

WHEREAS, the remaining 7,933 sqm will be utilized as relocation site for the 96 ISFs, the land development of which has been completed;

WHEREAS, the local government units (LGUs) are charged with the implementation of Republic Act 7279, otherwise known as the Urban Development and Housing Act (UDHA) of 1992, in coordination with the Housing and Urban Development Coordinating Council (HUDCC);

WHEREAS, it is the policy of the national government by virtue of the provision of Section 2(f) of RA 7279 to improve the capability of LGUs in undertaking urban development and housing programs and projects; and,

WHEREAS, the HUDCC is tasked to exercise oversight function over Local Inter-Agency Committees (LIACs) by virtue of Memorandum 74, Series of 2002;

NOW, THEREFORE, I GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the Department of Public Works and Highways to dispose of its 32,478-sqm property situated in Dumlog, Talisay City, Province of Cebu, to serve as its relocation site for the Informal Settlers Families (ISFs) affected by the implementation of the Cebu South Coastal Road Project (CSCR) and for institutional purposes.

Section 1. Allocation of Lots. A total of 24,545 sqm of the 32, 478 sqm property shall be allocated for institutional purposes, as follows: a) 12, 971 sqm for the modern slaughterhouse of LGU-Talisay City; and b) 11,574 sqm for the Regional Office of DPWH. The remaining 7,933 sqm shall be utilized as relocation site for the ISFs affected by the implementation of the CSCR, and other qualified beneficiaries.

Section 2. Local Inter-Agency Committee (LIAC). The HUDCC shall coordinate with Local Inter-Agency Committee to obtain technical and administrative support to oversee the implementation of the project which shall be composed of the LGU-Talisay City, as Chairman, the Housing and Urban Development Coordinating Council (HUDCC), as Co-Chairman, and the Department of Public Works and Highways (DPWH), Department of Environment and Natural Resources (DENR), the National Housing Authority (NHA), the Presidential Commission for the Urban Poor (PCUP), and a

representative of the People's Organization (PO) in the area, as members. The LIAC shall formulate the implementing rules and regulations of this Executive Order.

Section 3. Separability Clause. In the event that any provision hereof is declared invalid by any competent court of tribunal, the other provisions hereof unaffected thereby shall remain in full force and effect.

Section 4. Effectivity. This Executive Order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 4th day of July, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By authority of the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 540
ESTABLISHING WITHIN THE ORDER OF LAKANDULA THE RANK OF
CHAMPION FOR LIFE (KAMPEON HABANG BUHAY)

WHEREAS, Executive Order No. 236 dated 19 September 2003 established the Honors Code of the Philippines;

WHEREAS, Executive Order No. 236 established the Order of Lakandula and its composition;

WHEREAS, Executive Order No. 236 affirmed the Order of National Artists and the Order of National Scientists;

WHEREAS, there are no specific Honors for champions for sports, beauty, and similar fields of competition and achievement that foster extraordinary national pride and inspiration toward excellence;

NOW, THEREFORE, I GLORIA M. ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

The Order of Lakandula shall have an additional rank of Champion for Life (Kampeon Habang Buhay), next in rank to that of Officer (Pinuno). The rank of Champion for Life (Kampeon Habang Buhay) shall be conferred upon an individual who has attained an outstanding achievement in an international event in sports, beauty and similar fields of competition and achievement that foster extraordinary national pride and inspiration toward excellence; such as extraordinary achievement in boxing, Miss International title, gold medal in the Southeast Asian Games, and reaching the peak of Mount Everest.

The first recipients of the Order of Lakandula, rank of Champion for Life (Kampeon Habang Buhay) shall be Manny Pacquiao, Precious Lara Quigaman, the Filipino gold medalists in the Southeast Asian games, and the Filipinos who reached the peak of Mount Everest in the year 2006.

Executive Order No. 236 dated 19 September 2003 is hereby amended.

All other Presidential directives, issuances, order, rules and regulations on parts thereof insofar as they are inconsistent with this Executive Order are likewise hereby repealed or modified accordingly.

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 13th day of June, in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 541
ADJUSTING THE DIVIDEND RATE OF THE SUBIC BAY METROPOLITAN AUTHORITY
ON THEIR 2000 UNTIL 2003 NET EARNINGS PURSUANT TO SECTION 5 OF
REPUBLIC ACT NO. 7656

WHEREAS, Section 1 of Republic Act No. 7656 provides that:

“Section 1. Declaration of Policy. It is hereby declared the policy of the State that in order for the National Government to realize additional revenues, government-owned and/or controlled corporations, without impairing their viability, and the purposes for which they have been established, shall share a substantial amount of their net earnings to the National Government.”

WHEREAS, to support the viability and mandate of government-owned and/or controlled corporations (GOCCs), the liquidity, retained earnings position and medium-term plans and programs of the SBMA were considered in the determination of the reasonable dividend rate on its 2000 until 2003 net earnings.

WHEREAS, pursuant to Section 5 of RA 7656, the Secretary of Finance recommended the adjustment on the percentage of annual net earnings that shall be declared by the SBMA from fifty percent (50%) to ten percent (10%).

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The percentage of net earnings to be declared and remitted by SBMA as dividends to the National Government, as provided for under Section 3 of Republic Act 7656, is hereby adjusted from at least fifty percent (50%) to ten percent (10%), or with a total amount of not less than P75.62 Million.

SECTION 2. The adjusted dividend rate provided for under the preceding section is only applicable on the net earnings of SBMA for the years 2000 until 2003.

SECTION 3. This Executive Order shall take effect immediately.

Done in the City of Manila, this 6th day of July, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 542

DECLARING THE MINDANAO CONTAINER TERMINAL AS A SUB-PORT OF ENTRY
TO BE KNOWN AS THE MINDANAO CONTAINER TERMINAL SUB-PORT, PURSUANT TO
SECTION 606 OF THE TARIFF AND CUSTOMS CODE OF THE PHILIPPINES, AS AMENDED

WHEREAS, it is the declared policy of the government to enhance the growth and development of Northern Mindanao and ensure that the entire Philippines remains globally competitive;

WHEREAS, the expanding economic activity as well as the increasing needs of importers and passengers at the Mindanao Container Terminal demand that it be placed under the jurisdiction of the Bureau of Customs as a Sub-Port of Entry;

WHEREAS, the declaration of the Mindanao Container Terminal as a Sub-Port of Entry pursuant to Section 606 of the Tariff and Customs Code, as amended, will spur economic growth and development, improve the administrative efficiency of the Bureau of Customs in the areas and ensure that the needs of importers and passengers utilizing its facilities are attended to;

WHEREAS, the Mindanao Federation of Shippers' Association, Inc. has called for the declaration of the Mindanao Container Terminal as a sub-port of entry to be known as the Mindanao Container Terminal Sub-Port, which is favorably endorsed by the Bureau of Customs;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Declaring the Mindanao Container Terminal as a Sub-Port of Entry.* - The Mindanao Container Terminal located inside the Philippine Veterans Investment Development Corporation (PHIVIDEDEC) Industrial Estate in Tagoloan, Misamis Oriental, is hereby declared a Sub-Port of Entry to be known as the Mindanao Container Terminal Sub-Port, and accordingly placed under the jurisdiction of the Bureau of Customs, Customs Collection District No. X, with the Port of Cagayan de Oro as Principal Port of Entry.

SECTION 2. *Authority of the Commissioner of Customs to define the jurisdictional limits of the collection districts affected.* - The Commissioner of Customs, subject to the approval of the Secretary of Finance, is hereby authorized to redefine the jurisdictional boundaries of the port of Cagayan de Oro (Customs Collection District No. X) and other Customs Collection Districts affected by this Executive Order.

SECTION 3. *Relationship between the PHIVIDEDEC Industrial Authority and the Bureau of Customs.* - To ensure the smooth operation of the Mindanao Container Terminal Sub-Port, taking into consideration the peculiar characteristics thereof, the Bureau of Customs and the PHIVIDEDEC Industrial Authority shall, within fifteen (15) days from the effectivity of this Order, enter into a Memorandum of Agreement defining their working relationships and the treatment of all cargoes entering or leaving the area including all incoming and outgoing passengers thru the Mindanao Container Terminal Sub-Port.

SECTION 4. *Authority of the Commissioner to designate the officials of the Mindanao Container Terminal Sub-Port.* - The new Mindanao Container Terminal Sub-Port shall be headed by a Port

Collector and assisted by such other customs personnel as may be determined and designated by the Commissioner of Customs.

SECTION 5. *Implementing Authority.*- Subject to the approval of the Secretary of Finance, the Commissioner of Customs is hereby authorized to determine the personnel requirements of the Mindanao Container Terminal Sub-Port, taking into account the principles of economy, efficiency, and effectiveness. For this purpose, he may, subject to applicable Civil Service rules and regulations, issue the needed orders to effect the transfer or movement of personnel from any organizational unit of the Bureau to the Mindanao Container Terminal Sub-Port.

SECTION 6. *Appropriations.* Funds for the initial operations of the Mindanao Container Terminal Sub-Port shall be drawn from the available funds of the Bureau of Customs and subsequent appropriations shall be incorporated into its budget proposals, subject to existing budgetary, accounting and auditing laws and procedures.

SECTION 7. *Effectivity* – This Executive Order shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or a newspaper of general circulation.

DONE in the City of Manila, this **14th** day of **July**, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (2006). [*Executive Order Nos.: 501 - 600*]. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

EXECUTIVE ORDER NO. 543
DELEGATING TO THE PHILIPPINE RECLAMATION AUTHORITY THE POWER
TO APPROVE RECLAMATION PROJECTS

WHEREAS, Executive Order No. 525 dated 14 February 1979 designated the Public Estates Authority (PEA), now the Philippine Reclamation Authority (PRA), as the agency primarily responsible for all reclamation projects;

WHEREAS, Executive Order No. 525 provided that all reclamation projects shall be approved by the President upon recommendation of the PEA (now PRA), and shall be undertaken by the PEA (now PRA) or through a proper contract executed by it with any person or entity; Provided, that, reclamation projects of any national government agency or entity authorized under its charter shall be undertaken in consultation with the PEA (now PRA) upon approval of the President;

WHEREAS, Paragraph 2 of Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987 provides that: "The President... in order to achieve simplicity, economy and efficiency" may "transfer any function under the Office of the President to any Department or agency."

NOW, THEREFORE, I GLORIA M. ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The power of the President to approve reclamation projects is hereby delegated to the Philippine Reclamation Authority, through its governing board, subject to compliance with existing laws and rules and subject to the condition that reclamation contracts to be executed with any person or entity shall go through public bidding.

SECTION 2. Nothing in this Order shall be construed as diminishing the President's authority to modify, amend or nullify PRA's action.

SECTION 3. All executive issuances inconsistent with this Executive Order are hereby repealed or amended accordingly.

SECTION 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 24th day of June, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 544
DECLARING AND DELINEATING THE CORON PORT ZONE UNDER THE
ADMINISTRATIVE JURISDICTION OF THE PHILIPPINE PORTS AUTHORITY

WHEREAS, the port of Coron is one of the busiest ports in the country particularly in northern Palawan most specifically in the Calamianes Group of Islands;

WHEREAS, there is an urgent need to accelerate the development of the existing seaport of Coron in Barangay Tagumpay, Municipality of Coron, Palawan to serve as a hub of sea borne commerce and trade in northern Palawan, and a gateway to the municipalities, cities, provinces and other countries;

WHEREAS, the development of the existing seaport of Coron is necessary in order to accommodate projected increase in port traffic and program the development of the port facilities to support the increasing demands of the shipping trade within the region.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The territorial jurisdiction of the port of Coron situated in Barangay Tagumpay, Municipality of Coron, province of Palawan is hereby declared, expanded, and delineated particularly described as follows:

“Beginning at point marked 1 on the plan, thence to point 2 at a distance of 35.00 meters with bearing at South 38.00 degrees East, thence to point 3 at a distance of 35.00 meters with bearing at South 52.00 degrees East, thence to point 4 at a distance of 65.00 meters with bearing at South 38.00 degrees West, thence to point 5 at a distance of 1,500.00 meters with bearing at South 52.00 degrees East, thence to point 6 at a distance of 1,000.00 meters with bearing at South 38.00 degrees West, thence to point 7 at a distance of 2,570.00 meters with bearing at North 52.00 degrees West, thence to point 8 at a distance of 1,000.00 meters with bearing at North 38.00 degrees East, thence to point 9 at a distance of 1,000.00 meters with bearing at South 52.00 degrees East, thence to point 1 or the beginning at a distance of 65.00 meters with bearing at North 38.00 degrees East, all in all comprising a total area of 2,574,375.00 square meters more or less.”

SECTION 2. The Coron port as defined, expanded and delineated is hereby placed under the administrative jurisdiction of the Philippine Ports Authority, which shall, consistent with the regional industrial plans of the government, implement program in the proper zoning, planning, development and utilization of the ports.

SECTION 3. All orders, proclamations and issuances or portions thereof, which are inconsistent with this Executive Order, are hereby amended, repealed or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately.

Done in the City of Manila, this 14th day of July, in the year of Our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By authority of the President:
(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 545
ADJUSTING THE DIVIDEND RATE OF DEVELOPMENT BANK OF THE PHILIPPINES (DBP)
ON ITS 2003, 2004 AND 2005 NET EARNINGS PURSUANT TO SECTION 5 OF
REPUBLIC ACT NO. 7656

WHEREAS, under Section 1 of Republic Act No. 7656, it is the declared policy of the state that in order for the National Government to realize additional revenues, government owned and/or controlled corporations, without impairing their viability and the purposes for which they have been established, shall share a substantial amount of their net earnings to the National Government;

WHEREAS, Section 5 of Republic Act No. 7656 provides that “in the interest of national economy and general welfare, the percentage of annual net earnings that shall be declared by a government owned and/or controlled corporations may be adjusted by the President of the Philippines upon recommendation by the Secretary of Finance”;

WHEREAS, to support the viability and mandate of DBP, their liquidity capital position, retained earnings and medium term plans and programs were considered in the determination of reasonable dividend rates; and

WHEREAS, pursuant to Section 5 of the Republic Act No. 7656, the Secretary of Finance recommended the adjustment on the percentage of dividend rates for 2003, 2004 and 2005 net earnings that shall be declared by DBP to the national Government, in the interest of national economy and general welfare.

NOW, THEREFORE I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order;

Section 1. The percentage of dividend for year 2005 to be remitted by DBP to the National Government is adjusted to at least one billion six hundred six million pesos (P1.606 B) or equivalent to 40.69% of 2005 net earnings.

Section 2. The percentage of dividend for year 2004 to be remitted by DBP to the National Government is adjusted to at least one billion five hundred fifty seven million pesos (P1.557 B) or equivalent to 45% of 2004 net earnings.

Section 3. The percentage of dividend for year 2003 to be remitted by DBP to the National Government is adjusted to at least one billion eighteen million pesos (P1.018 B) or equivalent to 30% of 2003 net earnings.

Section 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 27th day of July, in the year of our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 546

DIRECTING THE PHILIPPINE NATIONAL POLICE TO UNDERTAKE ACTIVE SUPPORT TO THE ARMED FORCES OF THE PHILIPPINES IN INTERNAL SECURITY OPERATIONS FOR THE SUPPRESSION OF INSURGENCY AND OTHER SERIOUS THREATS TO NATIONAL SECURITY, AMENDING CERTAIN PROVISIONS OF EXECUTIVE ORDER NO. 110 SERIES OF 1999 AND FOR OTHER PURPOSES

WHEREAS, Section 12 of Republic Act No. 6975, as amended by Republic Act No. 8551, provides that the primary responsibility involving the suppression of insurgency and other serious threats to national security rests with the Armed Forces of the Philippines (AFP) and that the Philippine National Police (PNP) shall, through information gathering and performance of its ordinary police functions, support the AFP on matters involving the suppression of insurgency, except in cases where the President shall call on the PNP to support the AFP in combat operations;

WHEREAS, the National Democratic Front, the Communist Party of the Philippines and its military arm, the New People's Army, have been waging an armed struggle against the Government and the Filipino people for more than thirty years;

WHEREAS, the ongoing insurgency has a negative impact on the economy and resolving the insurgency will foster a climate conducive to economic growth and national development;

WHEREAS, to effectively address this threat, there is a need for a "whole of government approach" to ensure sustained, consistent, integrated and coordinated internal security measures against the Communist Terrorist Movement and other organized elements/groups engaged in armed offensives against the Government;

NOW, THEREFORE, GLORIA M. ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. The PNP shall support the AFP in combat operations involving the suppression of insurgency and other serious threats to national security.

SECTION 2. In the exercise of its responsibility, subject to the concurrence of the appropriate Local Chief Executive through the Local Peace and Order Council, the PNP is hereby authorized to deputize the barangay tanods as force multipliers in the implementation of the peace and order plan in the area.

SECTION 3. The Department of the Interior and Local Government shall exert efforts in securing and institutionalizing funding support from Local Government Units. For this purpose, governors and mayors, as deputized representatives of the National Police Commission in their respective territorial jurisdiction, and in relation to their sworn duty to implement Section 16 of the Local Government Code, shall ensure that sufficient funds shall be appropriated in their annual budget for the operational and logistical support of the concerned PNP units for the implementation of this Executive Order.

SECTION 4. The Local Chief Executives, in coordination with the Local Peace and Order Councils, shall include in the integrated area/Community Public Safety Plan of their respective city/municipality, the priority program of action/thrust in resolving the insurgency and other serious threats to national security and ensure appropriation thereof for effective implementation of this Executive Order.

SECTION 5. All executive issuances, rules and regulations or parts thereof which are inconsistent with this Executive Order are hereby revoked, amended, or modified accordingly.

SECTION 6. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 14th of July, in the year of our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 547

AMENDING EXECUTIVE ORDER 540 DATED JUNE 13, 2006 TO ESTABLISH A
SPECIAL CLASS OF THE CHAMPION FOR LIFE (KAMPEON HABANG BUHAY)
IN THE ORDER OF LAKANDULA

WHEREAS, Executive Order No. 236 dated 19 September 2004 established the Honors Code of the Philippines;

WHEREAS, Executive Order No. 236 affirmed the Order of National Arts, the Order of National Scientists and the *Gawad sa Manlilikha ng Bayan*;

WHEREAS, Executive Order No. 540 dated 13 June 2006 established within the Order of Lakandula the rank of Champion for Life (*Kampeon Habang Buhay*)

WHEREAS, there is a further need to establish a separate “*special class*” within the Order of Lakandula distinct from its existing ranks, for a specific Honor for Champions of sports, academics and similar fields of competition and achievement that foster extraordinary national pride and inspiration towards excellence, and place such an Honor as being equivalent in the order of precedence to the orders of cultural and scientific merit;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order;

SECTION 1. There is hereby established a *special class* of the **Champion for Life** (*Kampeon Habang Buhay*) within the Order of Lakandula, distinct from its existing ranks, to be conferred, upon Filipino individuals, groups or organizations, who have attained, as determined by the President, extraordinary achievement in sports, academics and other fields of competition that foster national pride and inspiration toward excellence, and bring honor and prestige to the country.

SECTION 2. The special class of **Champion for Life** (*Kampeon Habang Buhay*) in the Order of Lakandula, shall be equivalent to the Order of National Artists, the Order of National Scientists, the *Gawad sa Manlilikha ng Bayan* and other orders of cultural and scientific merit.

SECTION 3. The first recipients of the special class of the **Champion for Life** (*Kampeon Habang Buhay*) in the Order of Lakandula, shall be Manny Pacquiao, Precious Lara Quigaman, the Filipino Gold Medalists in the Southeast Asian Games, and the Filipinos who reached the peak of Mount Everest in the year 2006.

SECTION 4. The six original ranks in the Order of Lakandula is hereby restored.

SECTION 5. Executive Order No. 236, dated 19 June 2003 and Executive Order No. 540, dated June 13, 2006 are hereby amended accordingly. All other Presidential directives, issuances, orders, rules and regulations on parts thereof insofar as they are inconsistent with the Executive Order are likewise hereby repealed or modified accordingly.

SECTION 6. This Executive Order shall take effect immediately.

Manila, 25 July 2006

(Sgd.) GLORIA MACAPAGAL-ARROYO

BY THE PRESIDENT:

(Sgd.) EDUARDO R. ERMITA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

EXECUTIVE ORDER NO. 548
CREATING A TASK FORCE AGAINST ILLEGAL RECRUITMENT UNDER
THE COMMISSION ON FILIPINOS OVERSEAS

WHEREAS, the Presidential Anti-Illegal Recruitment Task Force, created pursuant to Executive Order No. (“EO”) 325 (s. 2004) and tasked, among others, to develop and execute strategies and schemes against the *modus operandi* of illegal recruiters, was automatically dissolved after a year of its effectivity;

WHEREAS, persistent reports indicate that illegal recruitment, a crime of economic sabotage, remains unabated;

WHEREAS, there is a need to create a new task force against illegal recruitment in order to have a more focused, concerted, coordinated and effective programs of action to stop and eliminate illegal recruitment;

WHEREAS, the Administrative Code of 1997 provides that the President has the continuing authority to reorganize the Office of the President and to transfer functions from one department or agency to another;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. *Creation of Task Force Against Illegal Recruitment.* – There is hereby created a Task Force Against Illegal Recruitment (TFAIR), which shall be placed under the supervision of the Commission on Filipinos Overseas for policy and program coordination. The TFAIR shall have the following functions:

- a) develop and execute strategies and schemes against the *modus operandi* of illegal recruiters such as, but not limited to, “escort” services within our international airports and other points of departure;
- b) develop and execute strategies against syndicates responsible for tampering and sale of spurious passports and travel documents; and
- c) ensure the prosecution of illegal recruiters, syndicates and protectors.

Section 2. *Composition.* – The TFAIR shall be composed of the Chairman of the Commission on Filipinos Overseas as Chair, and a sufficient number of members, as may be determined by the Chairman, from the staff of the National Bureau of Investigation, the Philippine National Police and other relevant government agencies, who shall be detailed to the TFAIR by their respective heads.

Section 3. *Office.* – The Manila International Airport Authority shall provide sufficient space at the Ninoy Aquino International Airport (NAIA) to serve as the principal office of the TFAIR.

Section 4. *Powers of TFAIR.* – In pursuit of its functions as defined in Section 1 hereof, the TFAIR shall have the responsibility and authority to:

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- a) conduct surveillance and entrapment operations of persons alleged to be engaged in illegal recruitment including, but not limited to, “escort” services at international airports and other points of departure;
 - b) cause or direct the immediate investigation and speedy prosecution of cases involving illegal recruitment and monitor progress of such cases;
 - c) coordinate with existing bodies, agencies and other instrumentalities currently involved in the campaign against illegal recruitment; and
 - d) perform other powers and functions as may be necessary for the effective discharge of its function or as may be directed by the President.

Section 5. Assistance and Cooperation. – The Department of Foreign Affairs, the Manila International Airport Authority, the National Bureau of Investigation, the Office of the Chief State Prosecutor of the Department of Justice, the Philippine National Police, the Philippine Overseas Employment Administration, the Bureau of Immigration and all other government agencies are hereby directed to actively support the anti-illegal recruitment campaign, as well as coordinate and cooperate with the TFAIR. For this purpose, the Chairman may call upon the heads of government agencies for assistance, as may be necessary, from time to time.

Section 6. Funding. – Funds for the operation of the TFAIR shall be sourced from such available funds as may be identified by the Department of Budget and Management.

Section 7. Repeal. – All orders, rules and regulations and issuances, or parts thereof, which are inconsistent with this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 8. Effectivity. – This Executive Order shall take effect immediately and shall remain in full force for a period of one year.

Done in the City of Manila, this 1st day of August, in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 548-A
AMENDING EXECUTIVE ORDER NO. 548 AND INVOLVING THE COMMISSION ON
FILIPINOS OVERSEAS IN THE CAMPAIGN AGAINST HUMAN TRAFFICKING

WHEREAS, Executive Order No. 548 was promulgated creating a Task Force Against Illegal Recruitment (TFAIR) under the supervision of the Commission on Filipino Overseas (CFO);

WHEREAS, to efficiently address the increasing reports and cases of human trafficking, it is necessary to enhance the coordination between and among agencies engaged in the human trafficking drive;

WHEREAS, pursuant to Republic Act No. 9208, otherwise known as the Anti-Trafficking in Persons Act of 2003, the Inter-Agency Council Against Trafficking (IACAT) was established to coordinate, monitor and oversee the implementation of the programs against trafficking in persons;

WHEREAS, pursuant to the Omnibus Rules and Regulations Implementing Republic Act No. 8042, otherwise known as the Migrant Workers and Overseas Filipino Act of 1995, the Philippine Overseas Employment Administration (POEA) shall continue to adopt policies and procedures, prepare and implement programs toward the eradication of illegal recruitment activities, considering that the POEA has the available manpower, logistics, and expertise needed to effectively combat illegal recruitment;

WHEREAS, the Administrative Code of 1987 vests the President with the continuing authority to reorganize the administrative structure of the Office of the President;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Amendment of Executive Order No. 548 and the redefinition of the mandate of the Commission on Filipinos Overseas. – Executive Order No. 548 creating the TFAIR under the supervision of CFO is hereby amended. A Task Force against Human Trafficking (TFHT) is hereby created in the CFO, with the following functions:

- a) Recommend to Inter-Agency Committee Against Trafficking (IACAT) policies, programs and services to enhance government initiatives against trafficking in persons;
- b) Conduct surveillance and entrapment operations, in consultation and coordination with the IACAT established under Section 20 of RA 9208, of persons, firms or entities alleged or suspected to be engaged in trafficking and related activities, as defined in RA 9208;
- c) Cause or direct the immediate apprehension, investigation and speedy prosecution of persons involved in, or of cases involving the trafficking in persons, and monitor progress of such cases;
- d) Provide adequate legal, psycho-social and other forms of assistance to trafficked persons, subject to rules and regulations as may be implemented;
- e) Consolidate various sources of data and statistics on trafficking, and establish a comprehensive databank for the effective monitoring, documentation and prosecution of trafficking incidents;

- f) Conduct a community education and information campaign program against trafficking in persons;
- g) Perform such other acts as may be necessary for the effective discharge of its functions and responsibilities herein conferred.

Section 2. *Reiteration of the anti-illegal recruitment functions of the Philippine Overseas Employment Administration.* – Pursuant to the mandate of the POEA under the Omnibus Rules and Regulations Implementing RA 8042, POEA shall intensify its anti-illegal recruitment campaign, most especially at the local level, in coordination with the local government units, law enforcement agencies, non-governmental organizations, and other concerned agencies.

Section 3. *The IACAT as primary body in the implementation of RA 9208.* – The IACAT shall remain to be the primary body to coordinate, monitor and oversee the implementation of RA 9208. The CFO shall complement the functions of the IACAT, and in addition, shall be specifically tasked to conduct special operations such as surveillance of persons and entities suspected to be engaged in human trafficking.

Section 4. *Composition.* – The TFHT shall be composed of the CFO as Chair, and a sufficient number of members, as may be determined by the Chairman, from the staff of the National Bureau of Investigation, the Philippine National Police, and other relevant government agencies who shall be detailed to the TFHT by their respective heads.

Section 5. *Office.* – The main office of the CFO shall serve as the principal office of the TFHT.

Section 6. *Assistance and Cooperation.* – The Department of Foreign Affairs, the Manila International Airport Authority, the National Bureau of Investigation, the Office of the State Prosecutor of the Department of Justice, the Philippine National Police, the Philippine Overseas Employment Administration, the Bureau of Immigration and all other government agencies are hereby directed to actively support the anti-human trafficking campaign, as well as coordinate and cooperate with the TFHT. For this purpose, the Chairman may call upon the heads of such government agencies for assistance, as may be necessary, from time to time.

Section 7. *Funding.* – The budget of TFHT as well as for the anti-illegal recruitment functions of POEA shall be sourced from such available funds, as may be identified by the Department of Budget and Management (DBM).

Section 8. *Effectivity.* – This Executive Order shall take effect upon its publication in a national newspaper of general circulation and shall remain in full force for a period of three (3) years.

Section 9. *Repeal.*—All orders, rules and regulations and issuances, or parts thereof, which are contrary or inconsistent with this Executive Order are hereby repealed or modified accordingly.

Done in the City of Manila, this 9th day of February, in the year of our Lord, Two Thousand and Seven.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President:
(Sgd.) EDUARDO R. ERMITA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2007). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 549
EXTENDING FURTHER THE DURATION OF OPERATIONS OF THE PRESIDENTIAL
MIDDLE EAST PREPAREDNESS COMMITTEE (PMEPC) TO DECEMBER 31, 2006

WHEREAS, the term of the Presidential Middle East Preparedness Committee (PMEPC) expires on 30 June 2006, pursuant to Executive Order No. 506 dated February 15, 2006;

WHEREAS, tensions in the Middle East continue to exist particularly in Iraq, and also in nearby countries in the region, including Iran and Afghanistan, which pose a serious threat to the security of Filipino Overseas Workers in these areas;

WHEREAS, there is a need for the PMEPC to continue monitoring developments, update contingency measures and be ready to implement Evacuation Plan when the need arises to ensure the safety of Filipinos in Iraq, in other Middle East countries, and in Iran and Afghanistan, as well as uphold the current travel ban on OFWs to Iraq;

WHEREAS, there is a need for PMEPC to assist for the release of 20 Filipino Nationals, who were taken hostage on the recently hijacked M/T Lin 1 off the coast of Somalia;

WHEREAS, under Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987, the President has the continuing authority to reorganize the functions of the Office of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. The PMEPC shall continue to exercise its functions and responsibilities provided under EO 159 s-2003 in relation to EO 194 and EO 195 s-2003 until December 31, 2006. Provided, it may cover such areas as may be instructed by the President.

Sec. 2. The Committee shall be provided an additional funding allocation of Three Million Pesos (P3M) for its administrative and operational expenses to be provided by the Office of the President. Additional financial requirements that may be needed by the Committee shall be sourced out by the Department of Budget and Management from available funds of the concerned agencies forming part of PMEPC, subject to the usual government accounting and auditing rules and regulations.

Sec. 3. All other rules, regulations and issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

Sec. 4. This Order shall take effect immediately.

Done in the City of Manila, this **18th** day of **July**, in the year of our Lord, Two Thousand and Six.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (2006). *[Executive Order Nos.: 501 - 600]*. Manila: Malacañang Records Office.



President Gloria Macapagal-Arroyo applauds after she spearheaded the installation of the bust of the country's fallen hero, former Senator Benigno Aquino Jr. on the occasion of his 25th year death anniversary, August 18, 2008, at the Terminal III of the Ninoy Aquino International Airport in Pasay City.

